

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS**

AMINI INNOVATION CORPORATION, a  
California corporation,

Plaintiff,

v.

D.A. INTERNATIONAL, INC. an Illinois  
corporation, RAAD ALTEMIMEI, an individual,  
and DOES 1-9, inclusive,

Defendants.

CIVIL ACTION NO.

FILED: MARCH 20, 2008

08CV1651 TC

JUDGE CONLON

MAGISTRATE JUDGE VALDEZ  
JURY TRIAL DEMANDED

**COMPLAINT**

Plaintiff AMINI INNOVATION CORPORATION (“Plaintiff” or “AICO”) for its  
Complaint alleges as follows:

**INTRODUCTION**

1. This is an action for copyright infringement and design patent infringement in violation of 17 U.S.C. § 101 et seq., and 35 U.S.C. § 101 et seq. Defendants are infringing copyrights and design patents owned by AICO as set forth in greater detail herein.

2. Defendants have actual notice of AICO’s copyrights and design patents.

**THE PARTIES**

3. Plaintiff Amini Innovation Corporation is a California corporation having its principal place of business at 8725 Rex Road, Pico Rivera, California 90660. AICO displays its furniture at various trade shows and on the Internet, and it extensively advertises its product lines in popular furniture magazines and periodicals. AICO is seeking damages and injunctive relief

with respect to its claims presented herein, except that AICO is not presently seeking damages against Defendants on its copyright infringement claims for any advertising actions and/or advertising activities that would have given rise to copyright infringement, but is only seeking injunctive relief in connection with any advertising activities of Defendants. Regarding damages for copyright infringement, AICO is only seeking damages for the actual furniture sold by Defendants that infringes the copyrights alleged herein, and not for the depiction or display of the accused furniture products. The reason AICO is excluding any damages as to advertising activities of Defendants is to prevent Defendants from receiving a defense of its claims from any insurance carrier.

4. Defendant D.A. International, Inc. ("DA") is an Illinois corporation having a place of business in this judicial district at 12413 S. Harlem Avenue, Suite 201, Palos Heights, Illinois 60463 and perpetrating the infringing activities alleged herein in this judicial district.

5. Defendant Raad Altemimeï ("Altemimeï") is an individual believed to reside in this judicial district at 10861 Green Manor Drive, Orland Park, Illinois 60467, is a principal of DA, and is personally directing the infringing activities described herein, and/or is the alter ego of DA.

6. The true names and capacities, whether individual, corporate or otherwise of Defendants Does 1-9 inclusive, are unknown to AICO, who therefore sues them by such fictitious names. AICO will seek leave to amend this complaint to allege their true names and capacities when they have been ascertained. AICO is informed and believes and thereon alleges that each of the fictitiously named Defendants is responsible in some manner for the occurrences herein alleged and that AICO's damages as herein alleged were proximately caused by those Defendants. At all times herein mentioned, Defendants Does 1-9 inclusive were the agents,

servants, employees or attorneys of their co-defendants, and in doing the things hereinafter alleged were acting within the course and scope of their authority as those agents, servants, employees or attorneys, and with the permission and consent of their co-defendants.

### **JURISDICTION AND VENUE**

7. The jurisdiction of this Court over the subject matter of this action is predicated upon 28 U.S.C. §§ 1331 and 1338(a) as a federal question involving patents and copyrights.

8. This Court has personal jurisdiction over DA as it is doing substantial business in this judicial district through its place of business located in this judicial district, in which DA offers for sale and sells the hereinbelow accused products.

9. This Court has personal jurisdiction over Altemimei in that Altemimei is a resident of this judicial district and is believed to have committed the unlawful acts alleged herein in this judicial district.

### **FACTUAL BACKGROUND**

10. AICO is a California corporation located in Los Angeles County, California that has designed for it, markets, and sells home furnishings.

11. AICO's popular Cortina bedroom collection includes furniture designs owned by AICO.

12. Photographs of AICO's Cortina bedroom collection are attached as Exhibit 1.

13. On March 18, 2005, AICO was awarded U.S. Copyright Registration No. VA 1-306-206 for the design that consists primarily of ornamental carvings on its Cortina sleigh bed headboard (see attached Exhibit 2).

14. On March 29, 2005, AICO was awarded U.S. Copyright Registration No. VA 1-314-234 for the design that consists primarily of ornamental carvings on its Cortina sleigh bed footboard (see attached Exhibit 3).

15. On March 18, 2005, AICO was awarded U.S. Copyright Registration No. VA 1-306-205 for the design that consists primarily of ornamental carvings on its Cortina dresser (see attached Exhibit 4).

16. On March 18, 2005, AICO was awarded U.S. Copyright Registration No. VA 1-306-204 for the design that consists primarily of ornamental carvings on its Cortina dresser mirror (see attached Exhibit 5).

17. On November 27, 2007, AICO was awarded U.S. Copyright Registration No. VA 1-623-886 for the design that consists primarily of ornamental designs on its Cortina night stand (see attached Exhibit 6).

18. On November 27, 2007, AICO was awarded U.S. Copyright Registration No. VA 1-623-887 for the design that consists primarily of ornamental designs on its Cortina armoire (see attached Exhibit 7).

19. AICO was awarded U.S. Design Patent No. D536,558 (“558 Patent”) for its Cortina sleigh bed headboard, which issued on February 13, 2007. Said patent is attached hereto as Exhibit 8. The patent was duly and legally issued and assigned to AICO.

20. AICO was awarded U.S. Design Patent No. D535,507 (“507 Patent”) for its Cortina sleigh bed footboard, which issued on January 23, 2007. Said patent is attached hereto as Exhibit 9. The patent was duly and legally issued and assigned to AICO.

21. AICO was awarded U.S. Design Patent No. D530,538 (“538 Patent”) for its Cortina dresser, which issued on October 24, 2006. Said patent is attached hereto as Exhibit 10. The patent was duly and legally issued and assigned to AICO.

22. AICO was awarded U.S. Design Patent No. D524,060 (“060 Patent”) for its Cortina dresser mirror, which issued on July 4, 2006. Said patent is attached hereto as Exhibit 11. The patent was duly and legally issued and assigned to AICO.

23. Other intellectual property rights may be pending. AICO may seek leave to amend this complaint should other relevant copyright registrations issue or should additional infringing products of Defendants be identified.

24. AICO has become aware of Defendants’ public display and sale of bedroom furniture that is substantially similar in appearance to AICO’s copyrighted and patented furniture identified above. See attached Exhibit 12.

25. Other infringing products that correspond to several of AICO’s copyrights and/or design patents (e.g., products that infringe AICO’s Cortina bedroom furniture copyrights) were also observed in Defendants’ place of business in Orland Park, Illinois by a sales representative of AICO over the past several months. Defendants’ infringing products are hereinafter referred to as the “Accused Products.”

26. Thereafter, counsel for AICO directed a cease-and-desist letter to Defendants but no satisfactory response was received. See attached Exhibit 13. The exhibits to the cease and desist letter have been omitted to minimize the volume of materials submitted to the Court.

27. In their response to the cease and desist letter, Defendants (through counsel) ostensibly and allegedly agreed to cease sales of the Accused Products. See attached Exhibit 14. Such a response, however, was incomplete with respect to the demands of AICO’s cease and

desist letter. AICO's counsel thus followed up with another letter to counsel for Defendants requesting additional information so that a settlement could be reached without involving the Court. See attached Exhibit 15. No response to AICO's counsel letter, or its subsequent transmission of the same, was ever received from Defendants. Defendants' and their counsel's ignoring of AICO's letter have prevented an out-of-court resolution of this matter.

28. Given AICO's high profile, extensive exposure, and success in the marketplace, there can be little doubt that Defendants knew about AICO's designs and intentionally decided to sell a bedroom collection so strikingly similar to AICO's Cortina bedroom collection so as to ride on AICO's coattails.

29. Upon information and belief, substantial sales of the Accused Products are occurring in this judicial district and elsewhere in Illinois.

30. Defendants' sale of the Accused Products is impacting AICO in this judicial district by diverting sales.

### **FIRST CLAIM FOR RELIEF**

#### **(Copyright Infringement Pursuant to 17 U.S.C. § 101 et seq.)**

31. Plaintiff hereby repeats and incorporates herein the allegations set forth in paragraphs 1 through 30 above.

32. This claim is against Defendants for copyright infringement in violation of the Copyright Act of 1976, 17 U.S.C. § 101, et seq.

33. AICO's copyrighted works attached as Exhibits 2-7 (the "Works") contain a substantial amount of original material which constitutes copyrightable subject matter protected under the Copyright Act of 1976, 17 U.S.C. § 101, et seq.

34. As previously alleged, AICO has applied for and received from the United States Register of Copyrights, Certificates of Registration for the copyrighted Works.

35. AICO has at all times complied in all respects with the Copyright Act of 1976 and all other laws of the United States with regard to its Works.

36. Defendants have had access to AICO's proprietary works by virtue of AICO's reputation, extensive advertising, and public displaying of its furniture.

37. Defendants have used or caused to be used various copies constituting unauthorized copies of Plaintiff's Works in violation of Plaintiff's exclusive rights under the Copyright Act of 1976, 17 U.S.C. § 106.

38. Defendants' distribution and/or sales of substantially similar copies of the Works constitute copyright infringement in violation of Plaintiff's exclusive rights under the Copyright Act of 1976, 17 U.S.C. § 101, et seq.

39. Defendants have knowingly, willfully, and/or deliberately infringed, and/or acted in reckless disregard in infringing, AICO's copyrights in the Works, and continue to do so in intentional and/or reckless disregard and violation of AICO's exclusive rights.

40. By reason of Defendants' acts of copyright infringement, Plaintiff has suffered and will continue to suffer irreparable injury unless and until this Court (1) enters an order enjoining and restraining Defendants from using the Works in any manner, and (2) orders all the copied Works to be impounded.

41. Defendants' continuing acts of copyright infringement, unless enjoined, will cause and have caused irreparable damage to Plaintiff in that it will have no adequate remedy at law to compel Defendants to cease such acts. Plaintiff will be compelled to prosecute a multiplicity of actions, one action each time Defendants commit such acts, and in each such

action it will be extremely difficult to ascertain the amount of compensation which will afford Plaintiff adequate relief.

42. By reason of Defendants' acts of copyright infringement, Plaintiff is entitled to recover all profits received or otherwise achieved, directly or indirectly, by Defendants in connection with their copying, distributing, and/or selling of the accused designs which are copies of Plaintiff's Works, as well as any other acts of Defendants that violate 17 U.S.C. § 106. Or, in the alternative, Plaintiff is entitled to an award of statutory damages as provided for in 17 U.S.C. § 504(c).

## **SECOND CLAIM FOR RELIEF**

### **(Design Patent Pursuant to 35 U.S.C § 101, et seq.)**

43. Plaintiff hereby repeats and incorporates herein the allegations set forth in paragraphs 1 through 42 above.

44. AICO's '558, '507, '538, and '060 Patents (see, Exhibits 8-11, attached hereto) have at all relevant times subsequent to their issue dates been fully enforceable and are now fully enforceable.

45. Subsequent to the issuance of the '558, '507, '538, and '060 Patents, Defendants have infringed the patents by using, importing, offering to sell, and/or selling, and continuing to use, import, offer to sell and/or sell, products that come within the scope of the claims of the patents, and that come within a range of equivalents of the claims of the patents, and/or contributing to the infringement activities of others.

46. The using, importing, offering to sell, and/or selling of infringing products by Defendants, and/or contributing to the infringement activities of others, has been without



authority or license from AICO and in violation of AICO's rights, thereby infringing the '558, '507, '538, and '060 Patents.

47. Defendants' infringement of AICO's '558, '507, '538, and '060 Patents has been willful and in disregard for the exclusive rights of AICO set forth in its patents.

48. The amount of money damages which AICO has suffered due to Defendants' acts of infringement cannot be determined without an accounting, and it is thus subject to proof at trial.

49. AICO is entitled to a complete accounting of all revenue derived by Defendants from the unlawful conduct alleged herein.

50. The harm to AICO arising from Defendants' acts of infringement of AICO's '558, '507, '538, and '060 Patents is not fully compensable by money damages. Rather, AICO has suffered and continues to suffer irreparable harm which has no adequate remedy at law and which will continue unless Defendants' conduct is enjoined.

51. AICO is therefore also entitled to a preliminary injunction, to be made permanent on entry of the judgment, preventing Defendants from further infringement.

### **PRAYER FOR RELIEF**

WHEREFORE, AICO demands judgment against Defendants, as follows:

A. For an order preliminarily and permanently enjoining the Defendants, and their officers, directors, agents, servants, attorneys, and employees and all other persons acting in concert with them from committing any further acts of infringement, including, but not limited to, copying, manufacturing, importing, selling and distributing the accused products, or aiding or abetting or assisting others in such infringing activities;

B. For an order directing Defendants to file with this Court and to serve on the Plaintiff within thirty (30) days after service on Defendants of the injunction granted herein, or such extended period as the Court may direct, a report in writing, under oath, setting forth in detail the manner and form in which Defendants have complied with the injunction and order of the Court;

C. For an order seizing and impounding all accused products;

D. For a judgment requiring Defendants to account to Plaintiff for and to pay Plaintiff all profits derived by Defendants from the advertising, marketing, distribution, public display, offering for sale and/or selling the Accused Products, as well as any other acts prescribed by 17 U.S.C. § 106 and/or for statutory damages based upon Defendants' acts of copyright infringement pursuant to 17 U.S.C. § 504(c), at Plaintiff's election;

E. For a judgment to be entered for Plaintiff against Defendants in an amount equal to the profits Defendants made in connection with their sales of products that infringe the '558, '507, '538, and '060 Patents pursuant to 35 U.S.C. § 289 to be proven at trial, or in the alternative, a reasonable royalty;

F. For a judgment awarding to Plaintiff prejudgment and post judgment interest until the award is fully paid;

G. For a judgment that Defendants have willfully and deliberately infringed Plaintiff's rights, such that Plaintiff is entitled to enhanced statutory damages pursuant to 17 U.S.C. § 504(c), if elected, and that this is an exceptional case entitling Plaintiff to enhanced damages under the Patent Laws of the United States;

H. For an award of costs, including attorneys' fees, incurred in bringing this action;

I. For such other and further relief as this Court may deem just and equitable under the circumstances; and,

J. Plaintiff specifically waives any damages with respect to Defendants' copyright infringing activities having to do with any advertising activities by Defendants.

**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a trial by jury on all issues raised by the Complaint so triable.

Respectfully submitted,

Date: March 20, 2008

s/ Brent A. Hawkins

Jeffrey G. Gargano

Brent A. Hawkins

Mark R. Anderson

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*Of Counsel:*

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mnielsen@cislo.com

CHI99 4956875-1.082220.0011

08CV1651 TC  
JUDGE CONLON  
MAGISTRATE JUDGE VALDEZ

## **EXHIBIT 1**





 **AICO**<sup>™</sup>  
AMINI INNOVATION, CORP.

65050 Dresser  
65060 Dresser Mirror

**#65000 Cortina Bedroom Collection**

Honey Walnut Finish - 28

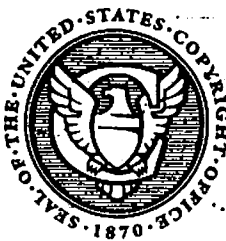
65016 & 26 & 36 Sleigh Bed  
65080 Armoire

65050 Dresser (detail view)  
65040 Bedside Chest

Designs depicted are proprietary  
with AICO - © All rights reserved.

## **EXHIBIT 2**





This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*  
Register of Copyrights, United States of America

**Form VA**  
For a Work of the Visual Arts  
UNITED STATES COPYRIGHT OFFICE

VA 1-306-206



MAR 18 2005

Month Day Year

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

1

Title of This Work ▼

NATURE OF THIS WORK ▼ See Instructions

CORTINA SLEIGH BED HEADBOARD

Ornamental carvings

Previous or Alternative Titles ▼

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give Volume ▼

Number ▼

Issue Date ▼

On Pages ▼

2

NAME OF AUTHOR ▼

Jack Schmitt

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

Was this contribution to the work a "work made for hire"?  
☐ Yes  
☒ No

Author's Nationality or Domicile

Name of Country

USA

OR

Citizen of

USA

Domiciled in

Was This Author's Contribution to the Work

Anonymous ☐ Yes ☒ No

Pseudonymous ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

Nature of Authorship Check appropriate box(es) See Instructions

☒ 1 Dimensional sculpture

☐ Map

☐ Technical drawing

☐ 2 Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☐ Jewelry design

☐ Architectural work

Name of Author ▼

Dates of Birth and Death

Year Born ▼

Year Died ▼

Was this contribution to the work a "work made for hire"?  
☐ Yes  
☒ No

Author's Nationality or Domicile

Name of Country

USA

OR

Citizen of

USA

Domiciled in

Was This Author's Contribution to the Work

Anonymous ☐ Yes ☒ No

Pseudonymous ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

Nature of Authorship Check appropriate box(es) See Instructions

☐ 1 Dimensional sculpture

☐ Map

☐ Technical drawing

☐ 2 Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☐ Jewelry design

☐ Architectural work

3

Year in Which Creation of This Work Was Completed

2004

Date and Nation of First Publication of This Particular Work

Completed this information

Month September

Day 20

Year 2004

Completed this information

USA

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

Amari Innovation Corporation

8725 Rox Road

Pico Rivera, CA 90660

Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

By Assignment

APPLICATION RECEIVED

MAR 18 2005

ONE DEPOSIT RECEIVED

TWO DEPOSITS RECEIVED

MAR 18 2005

FUNDS RECEIVED

MORE ON BACK ▶

Complete all applicable spaces (numbers 1-4) on the reverse side of this page

See detailed instructions.

Sign the form at the 6

DO NOT WRITE HERE

Page 1 of 2 pages

EXAMINED BY *[Signature]*

FORM VA

CHECKED BY *[Signature]*
☐ CORRESPONDENCE  
 Yes
FOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

PREVIOUS REGISTRATION This registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☒ No If your answer is Yes, why is another registration being sought? (Check appropriate box)
a. ☐ This is the first published edition of a work previously registered as unpublished formb. ☐ This is the first application submitted by this author as copyright claimantc. ☐ This is a changed version of the work, as shown by space 6 on this application

If your answer is Yes, give Previous Registration Number

Year of Registration

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work, complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work, or works that this work is based on or incorporates

a **6**  
See instructions  
before completing  
this space

b. Material Added to This Work Give a brief general statement of the material that has been added to this work and in which copyright is claimed

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name

Account Number

a

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP

 Donald M. Cislo  
 233 Wilshire Boulevard, Suite 900  
 Santa Monica, CA 90401-1211

Area code and daytime telephone number (310) 451-0647

Fax number (310) 394-4477

Email doncislo@cislo.com

CERTIFICATION I, the undersigned, hereby certify that I am the

check only one

☐ I am the

☐ other copyright claimant

☐ owner of exclusive rights

☒ authorized agent of **Amni Innovation Corporation**

Part of author or other copyright claimant, or owner of exclusive rights

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge

Typed or printed name and date If this application gives a date of publication in space 3, do not sign and submit it before that date

Charles H. Thomas

Date March 16, 2005

Handwritten signature

Name

Donald M. Cislo

CISLO &amp; THOMAS LLP

Number/Street/Apt

233 Wilshire Boulevard, Suite 900

City/State/ZIP

Santa Monica, CA 90401-1211

Complete all necessary forms

Sign your application in space 6

Filing fee

2. Nonrefundable filing fee in check or money

order payable to Register of Copyrights

S. Deposit account

Library of Congress

Copyright Office

101 Independence Avenue, S.E.

Washington, D.C. 20540-0000

 Fee on deposit to  
 Copyright Office  
 must be in cash,  
 check, or money  
 order payable to  
 Register of Copyrights  
 S. Deposit account  
 Library of Congress  
 Copyright Office  
 101 Independence Avenue, S.E.  
 Washington, D.C. 20540-0000

17 USC § 905(c) Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408 of in any written statement filed in connection with the application, shall be fined not more than \$2,000.



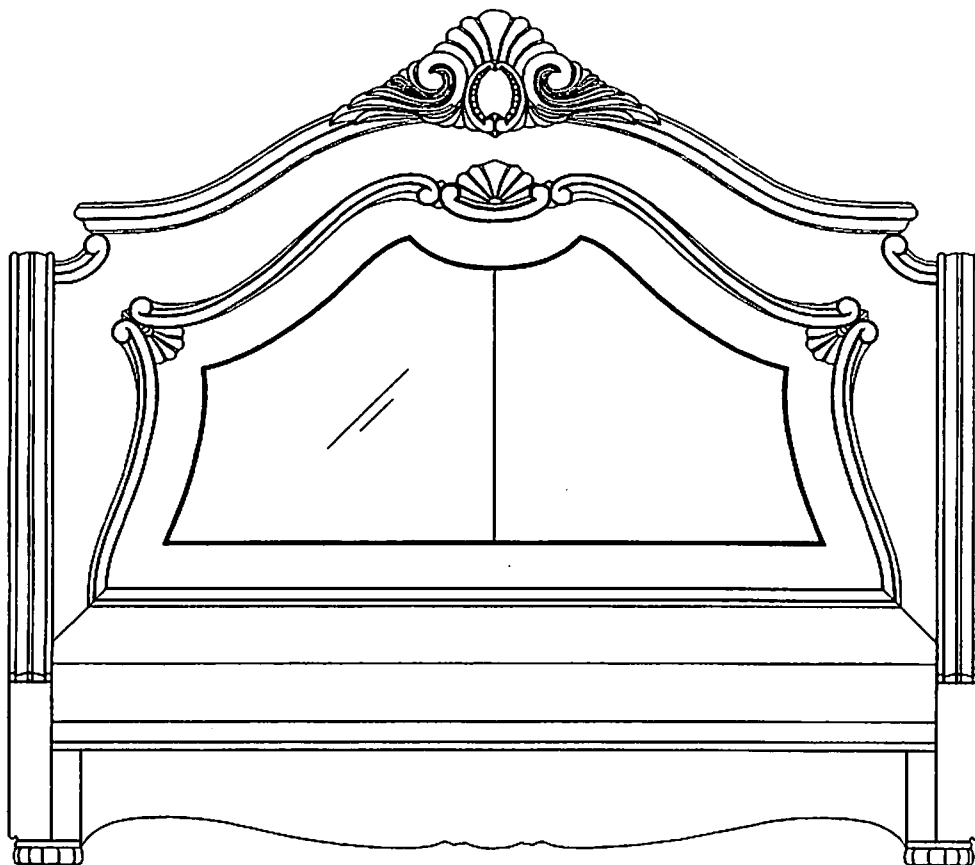


Fig. 1

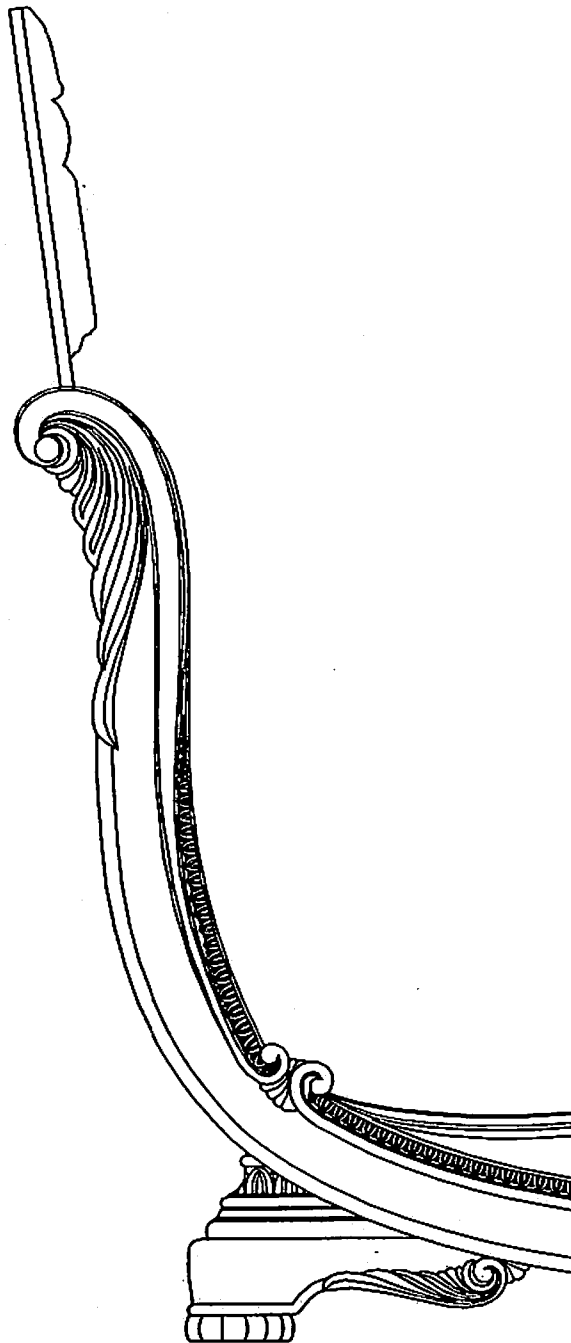


Fig. 2

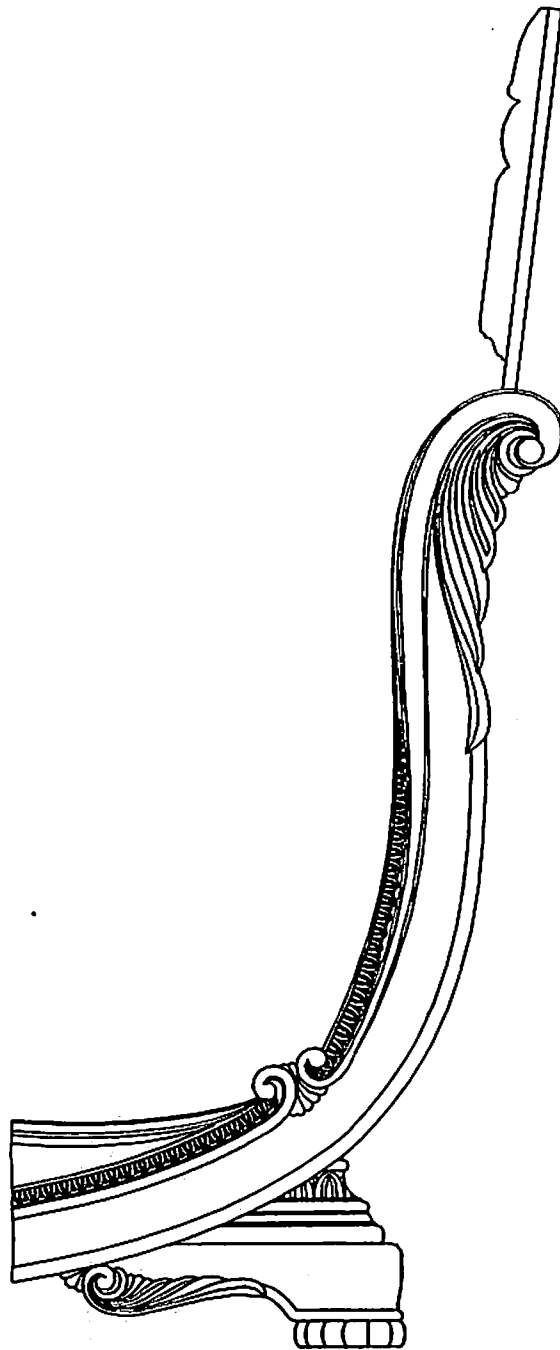


Fig. 3

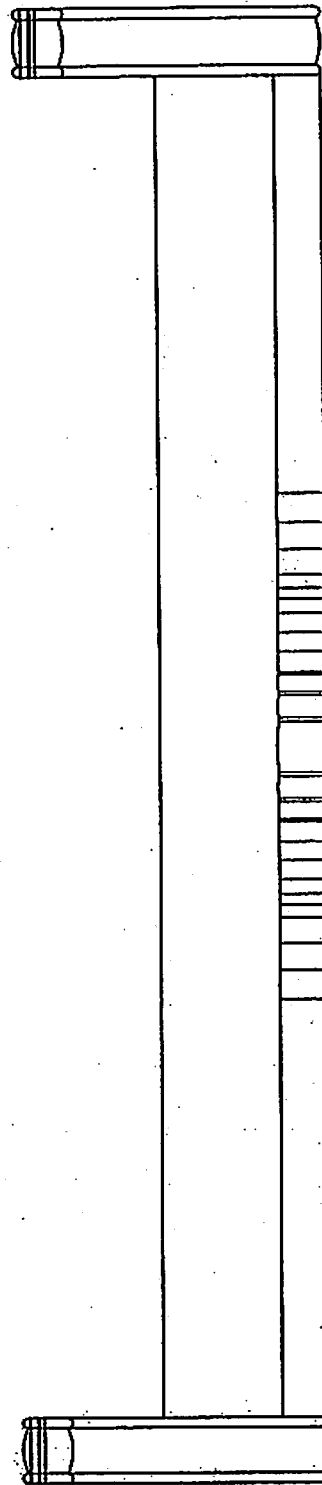


Fig. 4

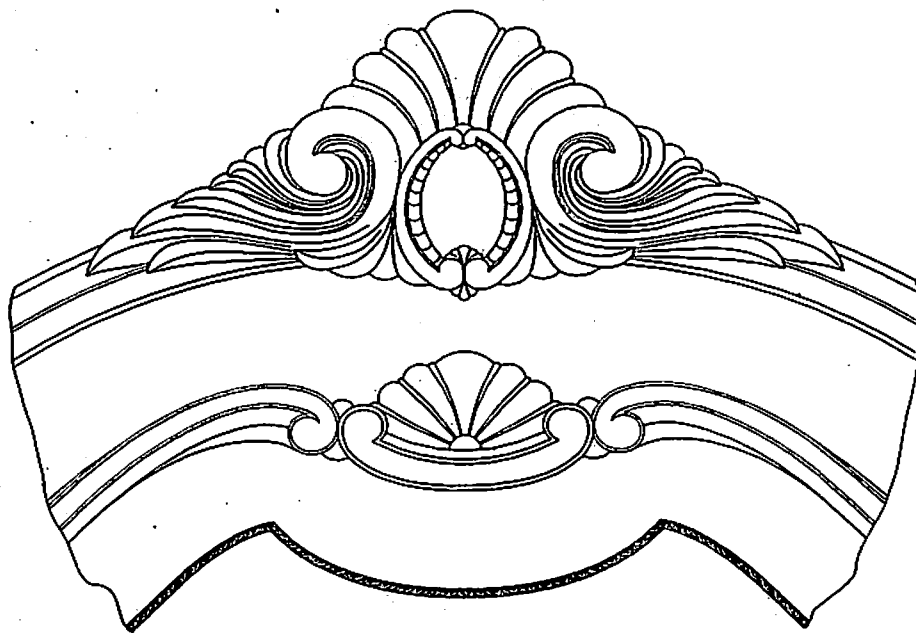


Fig. 5

## **EXHIBIT 3**



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*

Register of Copyrights, United States of America

**Form VA**  
For a Work of the Visual Arts  
UNITED STATES OF AMERICA

**VA 1-314-234**

**MAR 29 2005**

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**Title of This Work** **NATURE OF THIS WORK** See Instructions

**CORTINA SLEIGH BED FOOTBOARD** **Ornamental carvings**

**Previous or Alternative Titles**

**Publication as a Contribution** If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. **Title of Collective Work**

If published in a periodical or serial give: **Volume** **Number** **Issue Date** **On Pages**

**NAME OF AUTHOR** **DATES OF BIRTH AND DEATH**

**Jack Schmitt** **Year Born** **Year Died**

Was this contribution to the work a "work made for hire"? **Was This Author's Contribution to the Work**

☐ Yes Anonymously? ☐ Yes ☐ No

☐ No Pseudonymously? ☐ Yes ☐ No

**Author's Nationality or Domicile** If the answer to either of these questions is "Yes," see detailed instructions.

**OR** Citizen of **USA**

Domiciled in **USA**

**Nature of Authorship** Check appropriate box(es). See Instructions

☒ 3-Dimensional sculpture ☐ Map ☐ Technical drawing

☐ 2-Dimensional artwork ☐ Photograph ☐ Text

☐ Reproduction of work of art ☐ Jewelry design ☐ Architectural work

**Name of Author** **Dates of Birth and Death**

**Year Born** **Year Died**

Was this contribution to the work a "work made for hire"? **Was This Author's Contribution to the Work**

☐ Yes Anonymously? ☐ Yes ☐ No

☐ No Pseudonymously? ☐ Yes ☐ No

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**OR** Citizen of

Domiciled in

**Nature of Authorship** Check appropriate box(es). See Instructions

☐ 3-Dimensional sculpture ☐ Map ☐ Technical drawing

☐ 2-Dimensional artwork ☐ Photograph ☐ Text

☐ Reproduction of work of art ☐ Jewelry design ☐ Architectural work

**Year in Which Creation of This Work Was Completed** **Date and Nation of First Publication of This Particular Work**

**2004** Complete this information ONLY if this work has been published. Month **September** Day **20** Year **2004**

**USA** Nation

**COPYRIGHT CLAIMANT(S)** Name and address must be given even if the claimant is the same as the author given in space 2.

**Amini Innovation Corporation**

**8725 Rex Road**

**Pico Rivera, CA 90660**

Transfer if the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

**By Assignment**

**APPLICATION RECEIVED**

**MAR 29 2005**

**ONE DEPOSIT RECEIVED**

**MAR 29 2005**

**TWO DEPOSITS RECEIVED**

**FUNDS RECEIVED**

**MORE ON BACK**

• Complete all applicable spaces (numbers 5-9) on the reverse side of this page.

• See detailed instructions.

• Sign the form at line 8.

**DO NOT WRITE HERE**

Page 1 of 2 pages

1

2  
**NOTE**

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire" check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

3

4

See instructions before completing this space.

EXAMINED BY

FORM VA

CHECKED BY

☐ CORRESPONDENCE  
Yes
FOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box.) ▼
a. ☐ This is the first published edition of a work previously registered in unpublished form.b. ☐ This is the first application submitted by this author as copyright claimant.c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

Year of Registration ▼

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work, and in which copyright is claimed. ▼

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼

Account Number ▼

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

Donald M. Cislo  
233 Wilshire Boulevard, Suite 900  
Santa Monica, CA 90401-1211

Area code and daytime telephone number (310) 451-0647

Fax number (310) 394-4477

Email doncislo@cislo.com

CERTIFICATION\* I, the undersigned, hereby certify that I am the

check only one ▶

☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of **Armini Innovation Corporation**

Name of author or other copyright claimant, or owner of exclusive right(s) A

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

Charles H. Thomas

Date March 18, 2005

Handwritten signature (X) ▼

X

Certificate  
will be  
mailed in  
window  
envelope  
to this  
address:

Name ▼  
Donald M. Cislo  
CISLO & THOMAS LLP

Number/Street/Apt ▼

233 Wilshire Boulevard, Suite 900

City/State/ZIP ▼

Santa Monica, CA 90401-1211

• Complete all necessary spaces  
• Sign your application in space 8

1. Application form  
2. Nonrefundable filing fee in check or money  
3. Deposit material

Library of Congress  
Copyright Office  
101 Independence Avenue, S.E.  
Washington, D.C. 20540-0000

Post an initial fee  
check, for amount  
due, with the  
Copyright Office.  
Call (202) 707-9000.

\*17 U.S.C. § 405(c): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,000.



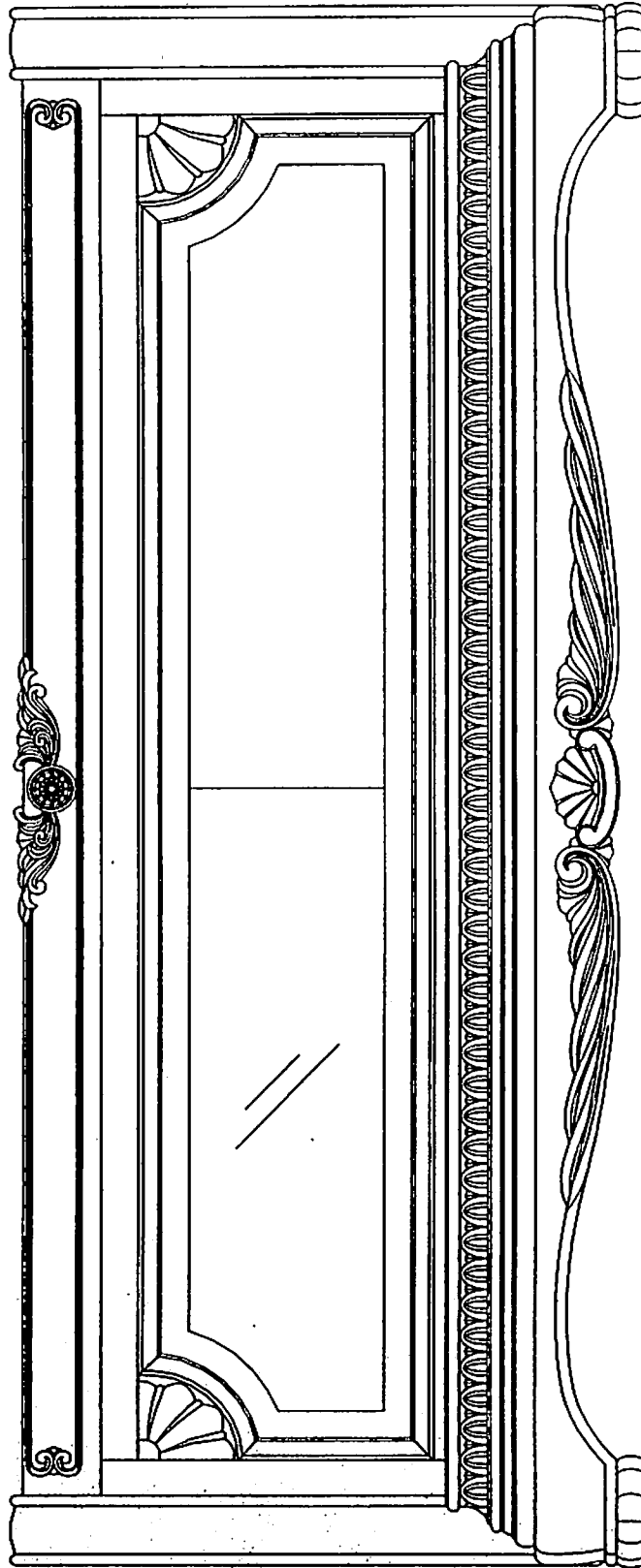


Fig. 1

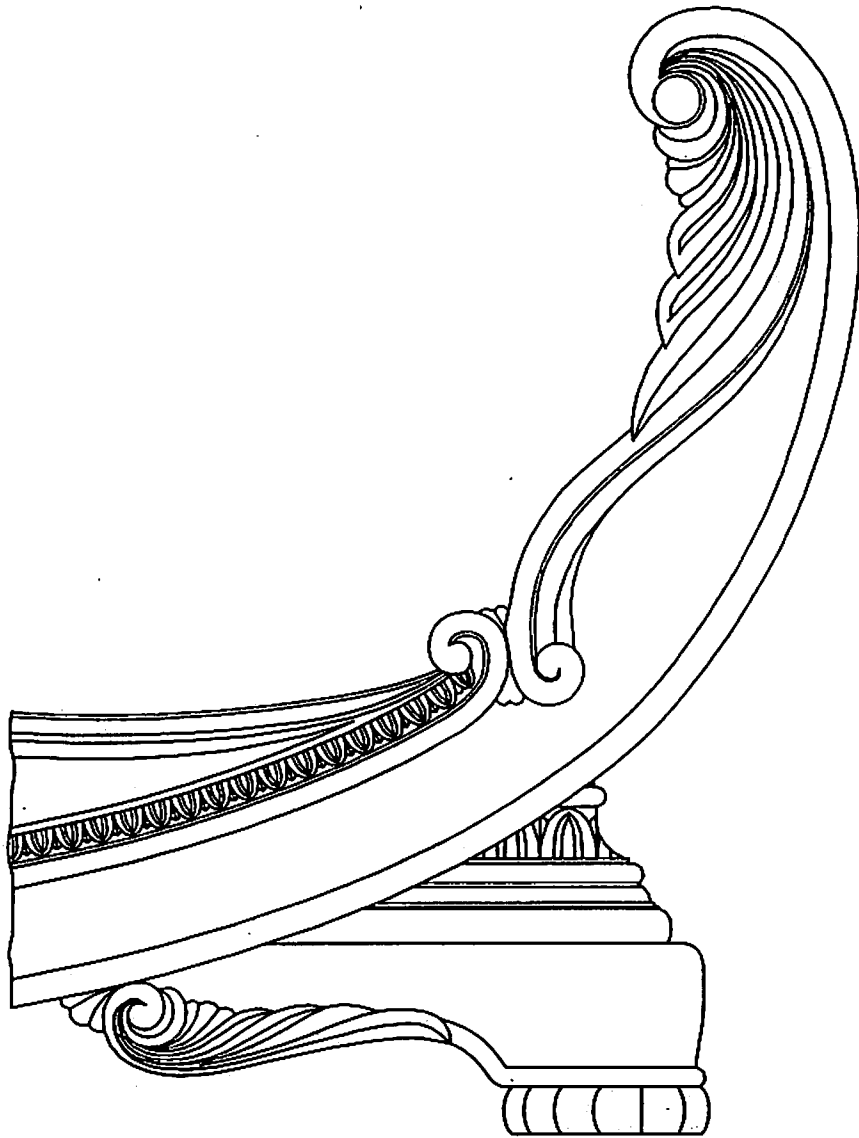


Fig. 2

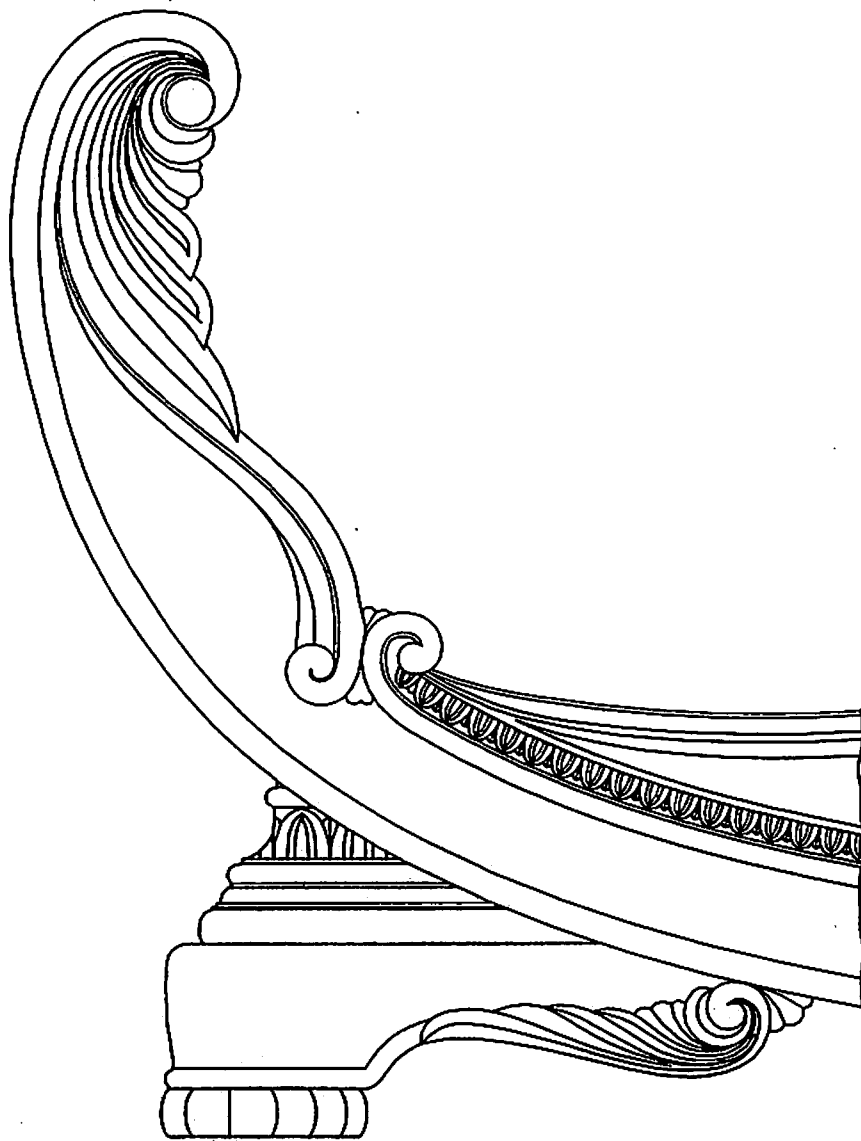


Fig. 3

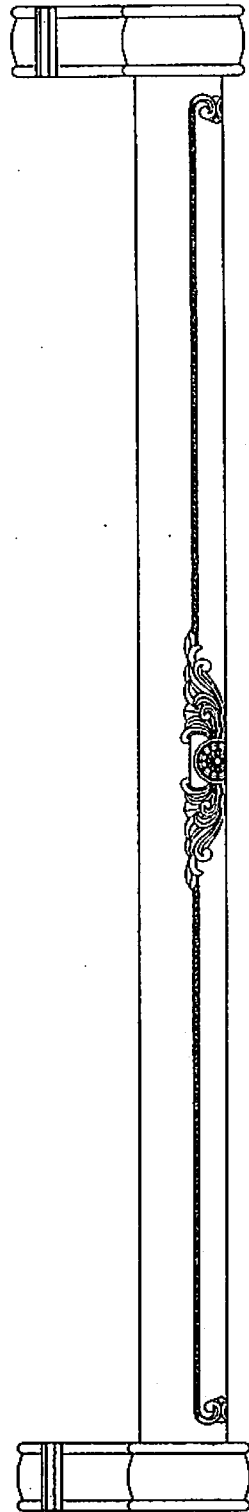


Fig. 4

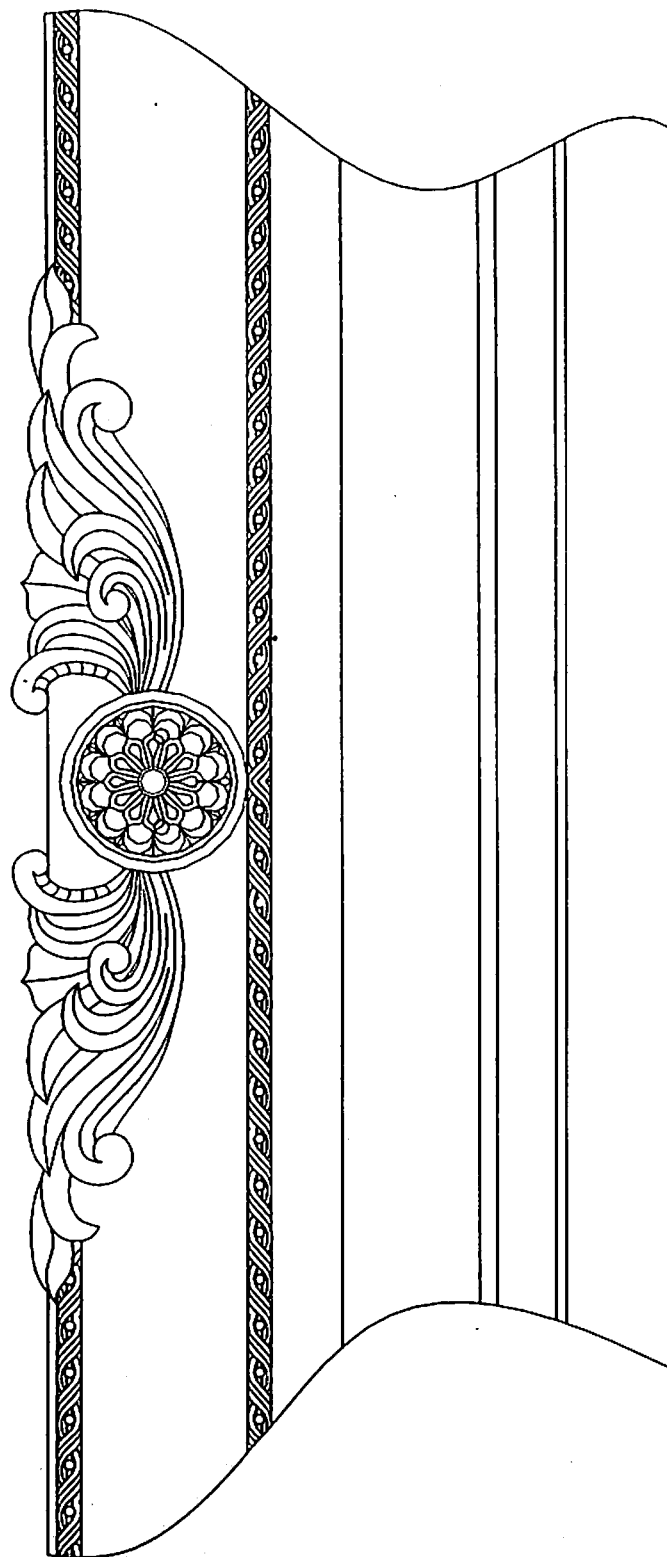


Fig. 5

## **EXHIBIT 4**



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*

Register of Copyrights, United States of America



Form VA

For a Work of the Visual Arts  
UNITED STATES COPYRIGHT OFFICE

VA 1-306-205



MAR 18 2005

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

1

Title of This Work

CORTINA DRESSER

NATURE OF THIS WORK See instructions

Ornamental carvings

Previous or Alternative Titles

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work

If published in a periodical or serial give Volume

Number

Issue Date

On Page

2

NAME OF AUTHOR

Jack Schmitt

DATES OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a "work made for hire"?

Yes

No

Author's Nationality or Domestic

Name of Country

USA

OR

Origin of

Disclosed in

USA

Was This Author's Contribution to the Work

Anonymous Yes No

Pseudonym Yes No

If the answer to either of these questions is "Yes," see detailed instructions

Nature of Authorship Check appropriate box(es) See instructions

3 Dimensional sculpture

Map

Technical drawing

2 Dimensional artwork

Photograph

Text

Reproduction of work of art

Jewelry design

Architectural work

Name of Author

Dates of Birth and Death

Year Born Year Died

Was this contribution to the work a "work made for hire"?

Yes

No

Author's Nationality or Domestic

Name of Country

OR

Origin of

Disclosed in

Was This Author's Contribution to the Work

Anonymous Yes No

Pseudonym Yes No

If the answer to either of these questions is "Yes," see detailed instructions

Nature of Authorship Check appropriate box(es) See instructions

3 Dimensional sculpture

Map

Technical drawing

2 Dimensional artwork

Photograph

Text

Reproduction of work of art

Jewelry design

Architectural work

3

Year in Which Creation of This Work Was Completed

2004

Date and Nation of First Publication of This Particular Work

Complete this information ONLY if this work has been published.

Month

Day

Year

20

2004

Nation

4

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.

Amini Innovation Corporation

8725 Rex Road

Pico Rivera, CA 90660

Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

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Page 1 of 2 pages

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FORM VA

CHECKED BY

☐ CORRESPONDENCE

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PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work already been made in the Copyright Office?

☐ Yes ☒ No If your answer is Yes, why is another registration being sought? (Check appropriate box) ▼a. ☐ This is the first published edition of a work previously registered in unpublished formb. ☐ This is the first application submitted by this author or copyright claimantc. ☐ This is a changed version of the work, as shown by space 6 on this application

If your answer is Yes, give Previous Registration Number ▼

Year of Registration ▼

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work, complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates ▼

b. Material Added to This Work Give a brief general statement of the material that has been added to this work and in which copyright is claimed ▼

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established on the Copyright Office, give name and number of Account.

Name ▼

Account Number ▼

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

Donald M. Cislo  
233 Wilshire Boulevard Suite 900  
Santa Monica, CA 90401 1211

Area code and daytime telephone number (310) 451-0647

Fax number (310) 394-4477

Email doncislo@cislo.com

CERTIFICATION I, the undersigned, hereby certify that I am the

back only one

☐ Author☐ Other copyright claimant☐ Owner of exclusive rights☒ Authorized agent of

Argini Innovation Corporation

Name of author or other copyright claimant, or owner of exclusive rights

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge

Typed or printed name and date ▼ If this application gives a date of publication in space 6, do not sign and submit it before that date

Charles H. Thomas

Date March 16, 2005

Handwritten signature (X) ▼

Name ▼

Donald M. Cislo  
CISLO & THOMAS LLP

Number/Street/Apt ▼

233 Wilshire Boulevard, Suite 900

City/State/ZIP ▼

Santa Monica, CA 90401-1211

Complete all necessary steps  
Sign your application in space 81. Application form  
2. Nonreturnable filing fee in check or money  
order payable to Registrar of Copyrights  
3. Deposit materialLibrary of Congress  
Copyright Office  
101 Independence Avenue, S.E.  
Washington, D.C. 20540-4000Fees are subject to change. For latest fees, check the Copyright Office website at [www.copyright.gov](http://www.copyright.gov) or call the Copyright Office at (202) 707-6000.

17 USC § 504(c) Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408 or in any written statement filed in connection with the application shall be fined not more than \$5,000.



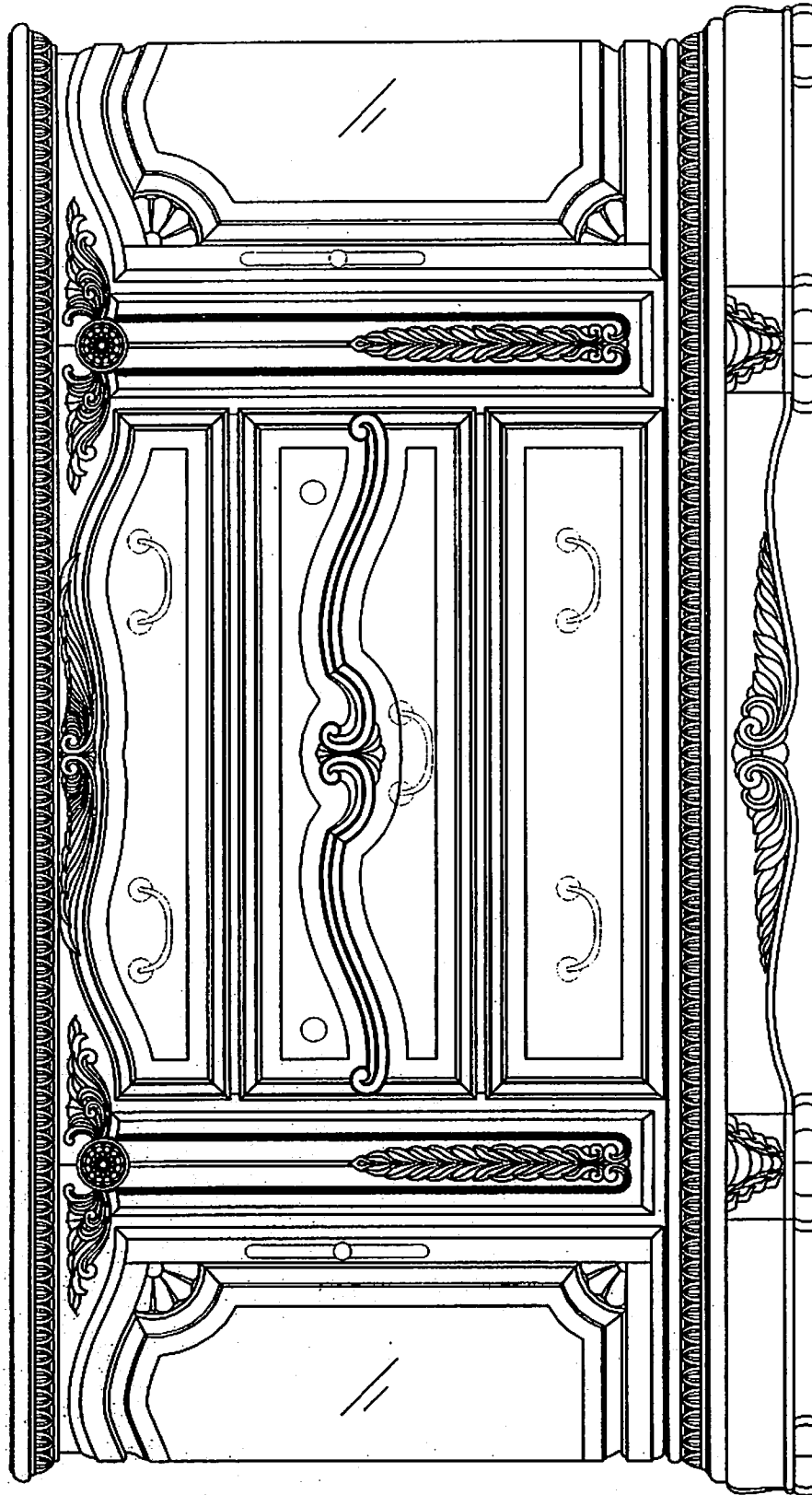


Fig. 1

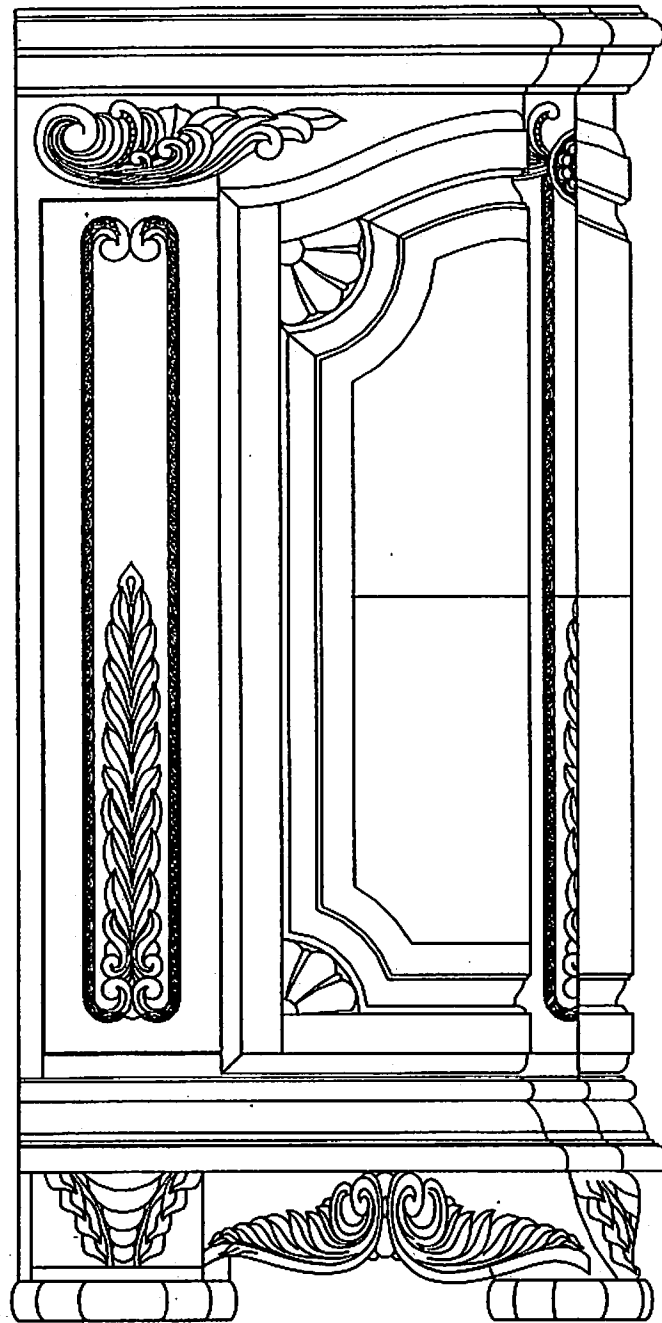


Fig. 2

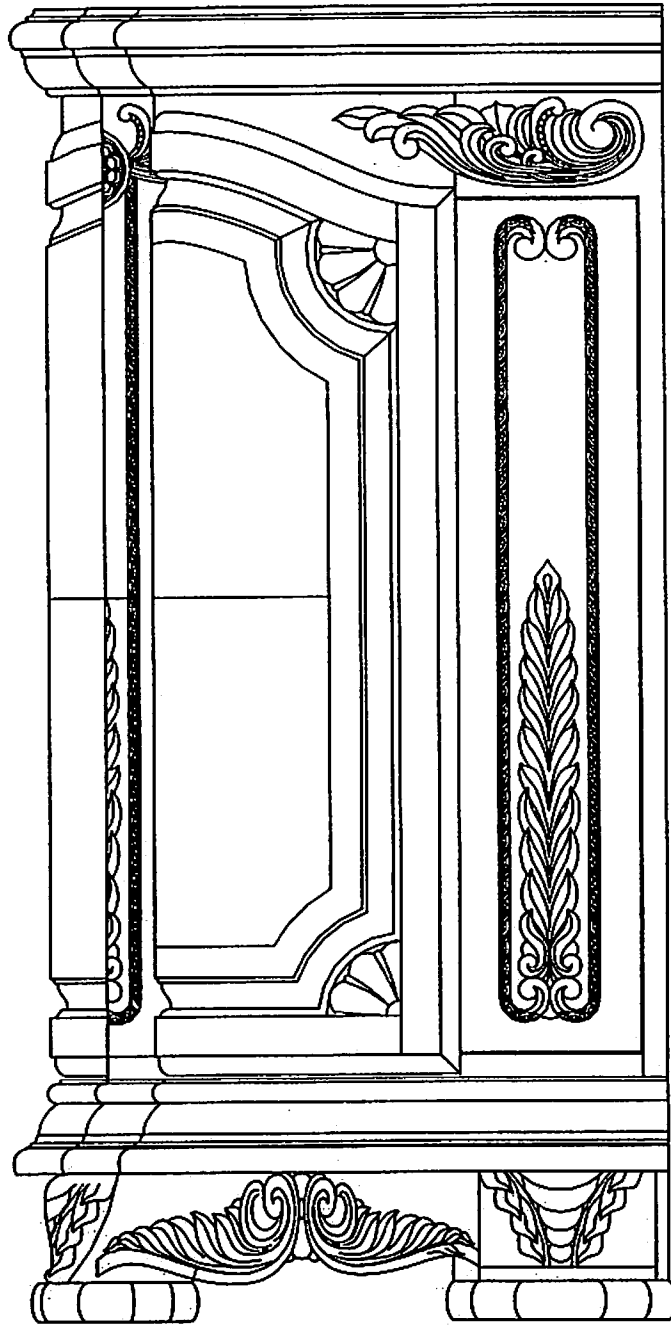


Fig. 3

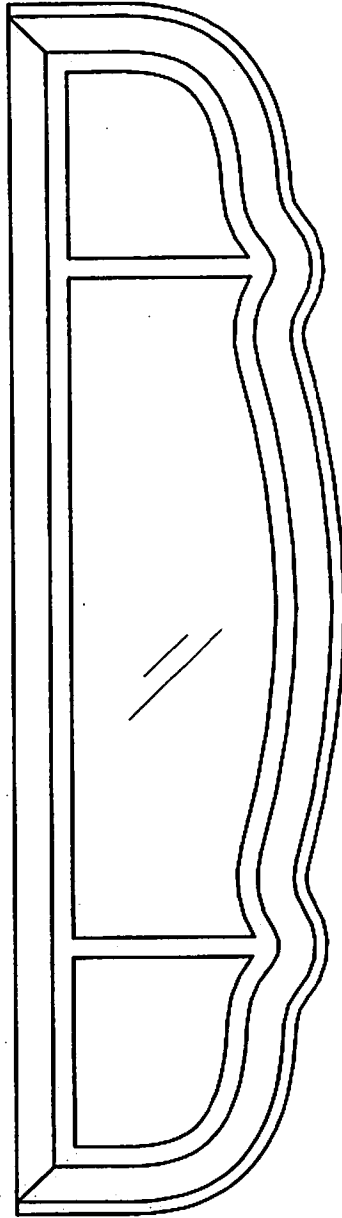


Fig. 4

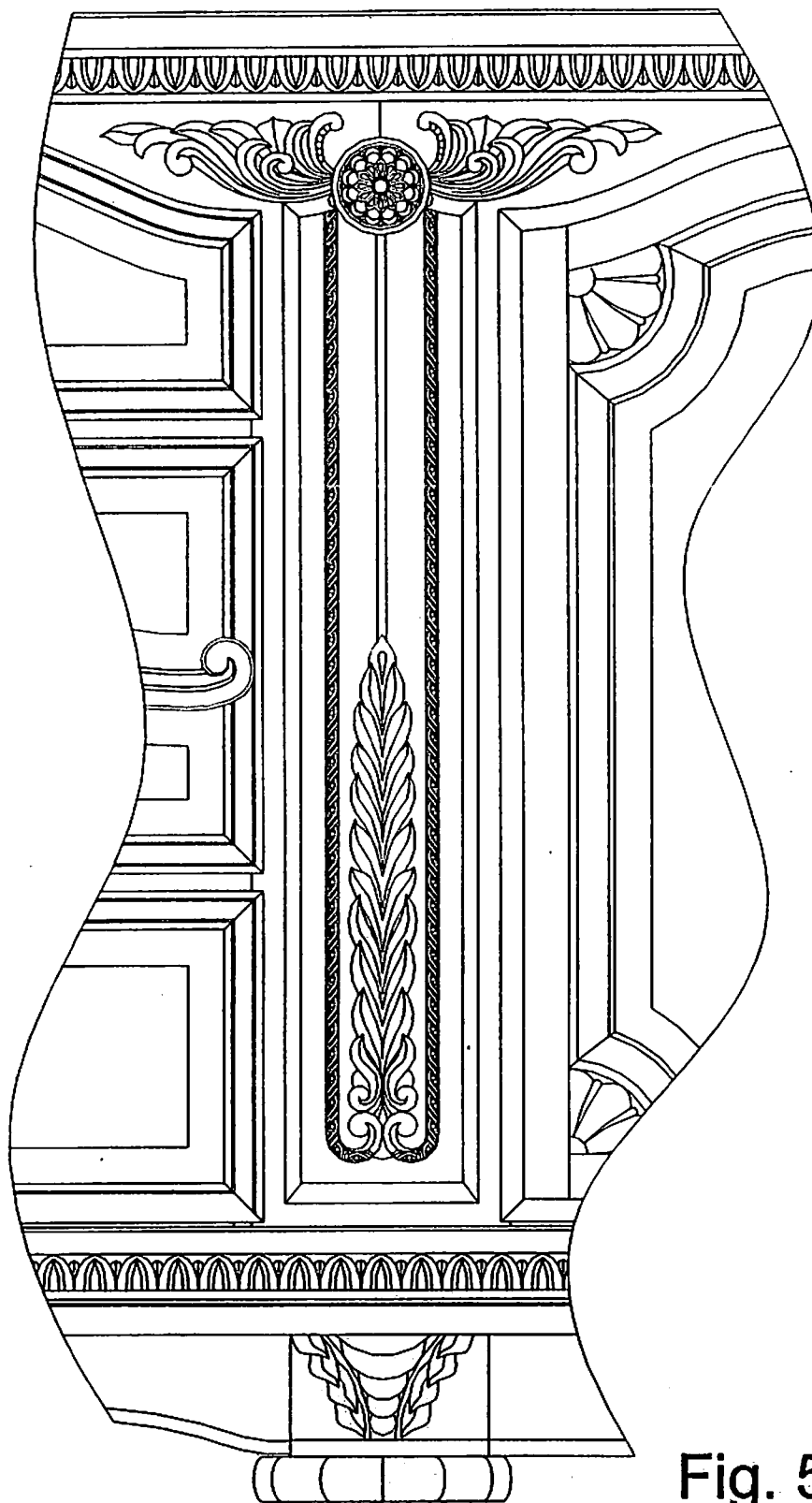


Fig. 5

## **EXHIBIT 5**



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*

Register of Copyrights, United States of America



Form VA

For a Work of the Visual Arts  
UNITED STATES COPYRIGHT OFFICE

RE

VA 1-306-204



USC001306204

EFF. MAR 18 2005

MAR 18 2005

DO NOT WRITE ABOVE THIS LINE IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

Title of This Work

CORTINA DRESSER MIRROR

NATURE OF THIS WORK See Instructions

Ornamental carvings

Previous or Alternative Titles

Publication as a Contribution If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared Title of Collective Work

If published in a periodical, serial, etc. Volume

Number

Issue Date

On Page

NAME OF AUTHOR

Jack Schmitt

DATES OF BIRTH AND DEATH

Year Born Year Died

Was this contribution to the work a "work made for hire"?

☐ Yes

☐ No

Author's Nationality or Domicile

Name of Country

Citizen of

Domiciled in

USA

USA

Was This Author's Contribution to the Work

Anonymous ☐ Yes ☐ No

Pseudonymous ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

Nature of Authorship Check appropriate box(es) See Instructions

☒ 1 Dimensional sculpture

☐ Map

☐ Technical drawing

☐ 2 Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☐ Jewelry design

☐ Architectural work

Name of Author

Dates of Birth and Death

Year Born Year Died

Was this contribution to the work a "work made for hire"?

☐ Yes

☐ No

Author's Nationality or Domicile

Name of Country

Citizen of

Domiciled in

USA

USA

Was This Author's Contribution to the Work

Anonymous ☐ Yes ☐ No

Pseudonymous ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

Nature of Authorship Check appropriate box(es) See Instructions

☐ 1 Dimensional sculpture

☐ Map

☐ Technical drawing

☐ 2 Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☐ Jewelry design

☐ Architectural work

Year in Which Creation of This Work Was Completed

2004

Date and Nation of First Publication of This Particular Work

Complete this information ONLY if this work has been published.

Month

September

Day

20

Year

2004

Nation

USA

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2.

Amni Innovation Corporation

8725 Rex Road

Pico Rivera, CA 90660

Transfer If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright.

By Assignment

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2

NOTE

Under the law the author of a work made for hire is generally the employer not the employee (see instructions). For any part of this work that was made for hire check Yes in the space provided give the employer (or other person for whom the work was prepared) as Author of that part and leave the space for dates of birth and death blank.

3

4

See instructions before completing this space.

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DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼
a ☐ This is the first published edition of a work previously registered as unpublished formb ☐ This is the first application submitted by the author or copyright claimantc ☐ This is a changed version of the work, as shown by space 6 on this application

If your answer is "Yes," give Previous Registration Number ▼

Year of Registration ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work, complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates ▼

6

See instructions  
before completing  
this space

b. Material Added to This Work Give a brief general statement of the material that has been added to this work and in which copyright is claimed ▼

b

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼

Account Number ▼

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

Donald M. Cislo  
233 Wilshire Boulevard, Suite 900  
Santa Monica, CA 90401 1211

Area code and daytime telephone number (310) 451-0647

Fax number (310) 394-4477

Email doncislo@cislo.com

CERTIFICATION I, the undersigned, hereby certify that I am the

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☐ Author

☐ Other copyright claimant

☐ Owner of exclusive rights

☒ Authorized agent of **Amplify Innovation Corporation**

Name of author or other copyright claimant, or owner of exclusive right(s)

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date

Charles H. Thomas

Date March 16, 2005

Handwritten signature of Charles H. Thomas

8

Certificate  
will be  
mailed in  
window  
envelope to  
this  
address

Name ▼  
**Donald M. Cislo**  
**CISLO & THOMAS LLP**  
Number/Street/Apt ▼  
**233 Wilshire Boulevard, Suite 900**  
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Fee on material to  
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transmission to  
Copyright Office  
must be accompanied  
by the Copyright  
Office fee on  
this form.

9

17 USC § 504(e) Any person who knowingly makes a false representation of a material fact in this application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$20,000.



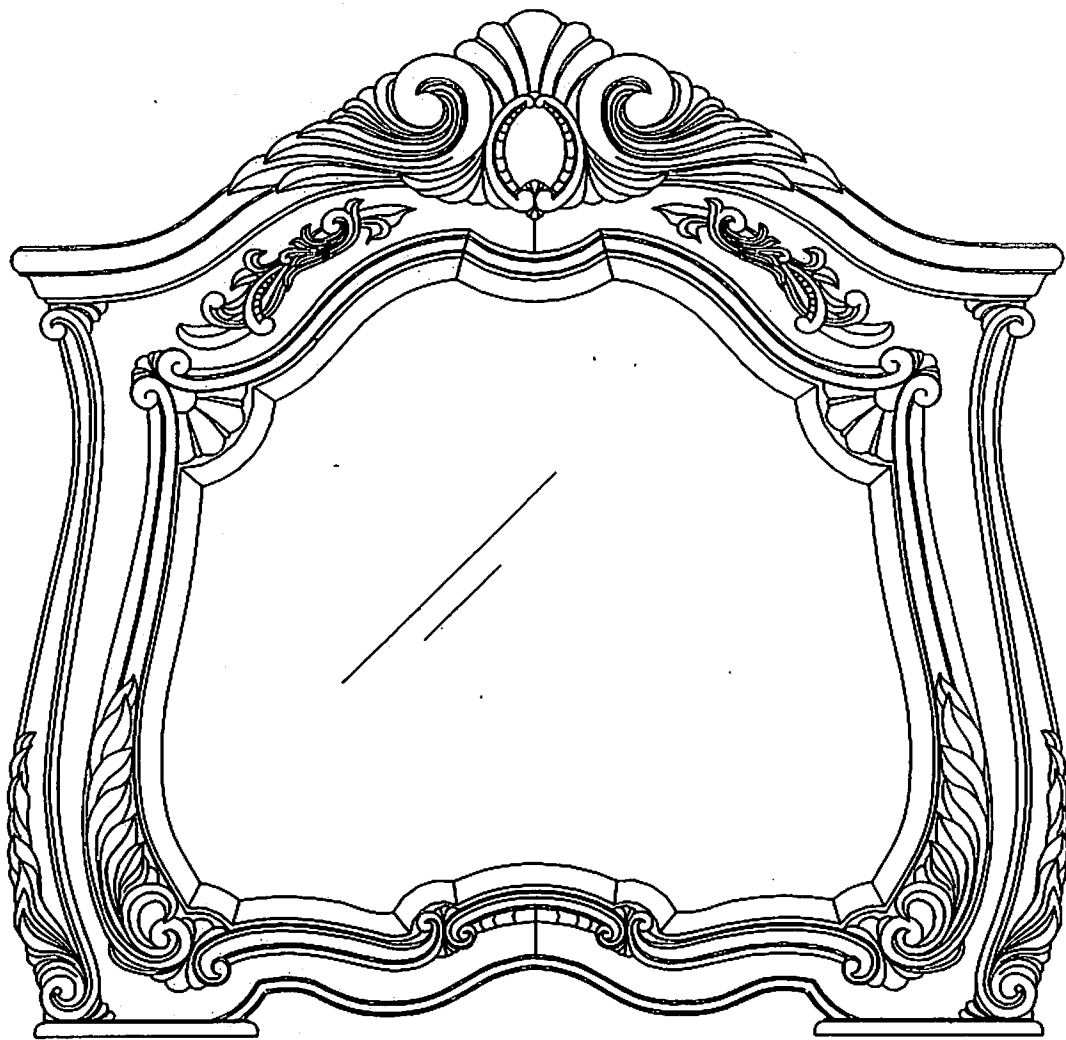


Fig. 1

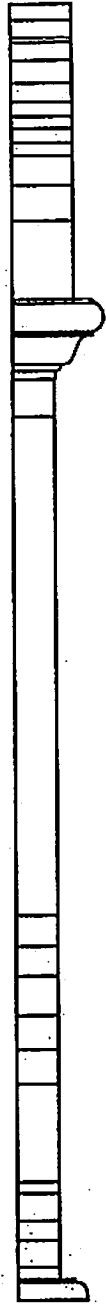


Fig. 2



Fig. 3



Fig. 4

## **EXHIBIT 6**

## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*

Register of Copyrights, United States of America

1 15202 10/06  
\* \*

Registration Number:

VA 1-623-886

Effective date of  
registration:

November 27, 2007

**Title**

Title of Work: CORTINA NIGHT STAND

Nature of Work: Ornamental Designs

**Completion/Publication**

Year of Completion: 2004

Date of 1st Publication: September 20, 2004

Nation of 1st Publication: United States

**Author**

■ Author: Jack Schmitt

Author Created: 3-Dimensional sculpture

Work made for hire: No

Citizen of: United States

Domiciled in: United States

Anonymous: Yes

Pseudonymous: No

**Copyright claimant**

Copyright Claimant: Amini Innovation Corporation

8725 Rex Road, Pico Rivera, CA 90660

Transfer Statement: By Assignment

**Limitation of copyright claim**

Previously registered: No

**Certification**

Name: Daniel M. Cislo, authorized agent of Amini Innovation Corporation

Date: November 26, 2007

**Copyright Office notes:** Regarding title information: application states "No copyright claim is made to the hang-tag shown on the night stand in the figures submitted."  
Regarding title information: registration based on ornamental carvings only.







22 1:40F





HD5t:1 22







22 1:50PM



## **EXHIBIT 7**

# Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*

Register of Copyrights, United States of America

1001000  
★ ★

Registration Number:

VA 1-623-887

Effective date of  
registration:

November 27, 2007

## Title

Title of Work: CORTINA ARMOIRE

Nature of Work: Ornamental Designs

## Completion/Publication

Year of Completion: 2004

Date of 1st Publication: September 20, 2004

Nation of 1st Publication: United States

## Author

■ Author: Jack Schmitt

Author Created: 3-Dimensional sculpture

Work made for hire: No

Citizen of: United States

Domiciled in: United States

Anonymus: Yes

Pseudonymous: No

## Copyright claimant

Copyright Claimant: Amini Innovation Corporation

8725 Rex Road, Pico Rivera, CA 90660

Transfer Statement: By Assignment

## Limitation of copyright claim

Previously registered: No

## Certification

Name: Daniel M. Ciso, authorized agent of Amini Innovation Corporation

Date: November 26, 2007

**Copyright Office notes:** Regarding title information: application states "No copyright claim is made to the hang-tag shown on the night stand in the figures submitted."  
Regarding title information: registration based on ornamental carvings only.



11-20-08 CC







22 4:28PM











22 4:29PM



08CV1651 TC

JUDGE CONLON

MAGISTRATE JUDGE VALDEZ

## **EXHIBIT 8**



US00D536558S

(12) **United States Design Patent** (10) **Patent No.:** **US D536,558 S**  
**Schmitt** (45) **Date of Patent:** **\*\* Feb. 13, 2007**

(54) **SLEIGH BED HEADBOARD**

(75) Inventor: **Jack Schmitt**, San Juan Capistrano, CA (US)

(73) Assignee: **Amini Innovation Corp.**, Pico Rivera, CA (US)

(\*\*) Term: **14 Years**

(21) Appl. No.: **29/226,350**

(22) Filed: **Mar. 29, 2005**

(51) **LOC (8) Cl.** ..... **06-06**

(52) **U.S. Cl.** ..... **D6/505**

(58) **Field of Classification Search** ..... D6/382-395, D6/505-508, 397; 5/53.1, 279.1, 280, 281, 5/2.1, 907, 414

See application file for complete search history.

(56) **References Cited**

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D457,346 S	5/2002	O'Hare	
D459,120 S	6/2002	Stanton	
D460,288 S	7/2002	Vaaler	
D463,157 S	9/2002	Lenger	
D468,552 S	1/2003	O'Hare	
D470,329 S	2/2003	Vaaler	
D470,330 S	* 2/2003	Vaaler	..... D6/393
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D470,681 S	2/2003	O'Hare	
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D474,917 S	5/2003	Risdon	
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D475,862 S	6/2003	McDaniel et al.	
D484,329 S	* 12/2003	Risdon et al.	..... D6/393
D487,199 S	3/2004	Schmitt	
D487,363 S	3/2004	Schmitt	
D493,976 S	8/2004	Bergelin	
D508,626 S	* 8/2005	Schmitt	..... D6/505
D517,831 S	* 3/2006	Domack	..... D6/393

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Drexel Palm Court bed, Oct. 2004, p. 5.\*  
 Furniture Today, Source Mktg. bed, p. 192, Oct. 14, 2002.  
 Amini Innovation, Corp. Monte Carlo Collection, #53000 Series, 2001, 1 pages.  
 Amini Innovation, Corp. La Francaise Collection, #50000 Series, Sep. 11, 2002, 3 pages.  
 Ethan Allen circular, Legacy Collection Iron Hoop Bed, p. 5, 1996.  
 Thomasville Verona, c2002 bed on cover.  
 Thomasville, Impressions—Madison county, bed.

\* cited by examiner

*Primary Examiner*—Janice E. Seeger

(74) *Attorney, Agent, or Firm*—Cislo & Thomas, LLP

(57) **CLAIM**

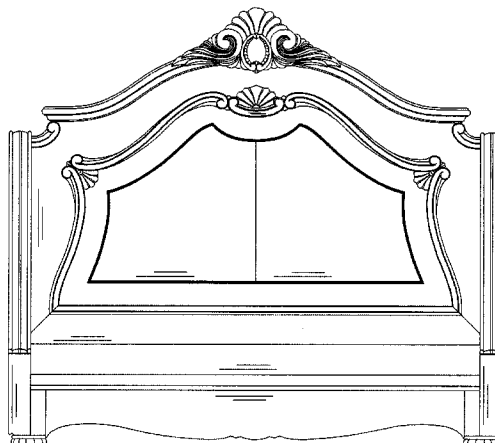
I claim the ornamental design for the sleigh bed headboard, as shown and described.

#### DESCRIPTION

FIG. 1 is a front elevational view of a sleigh bed headboard showing my new design;  
 FIG. 2 is a left-side elevational view thereof;  
 FIG. 3 is a right-side elevational view thereof;  
 FIG. 4 is a top plan view thereof; and,  
 FIG. 5 is a front elevational detail of the top center of the sleigh bed headboard illustrating the ornamentation thereon in enlarged detail.

The claimed design does not include any depth for the ornamental details shown within the perimeter moldings.

**1 Claim, 5 Drawing Sheets**



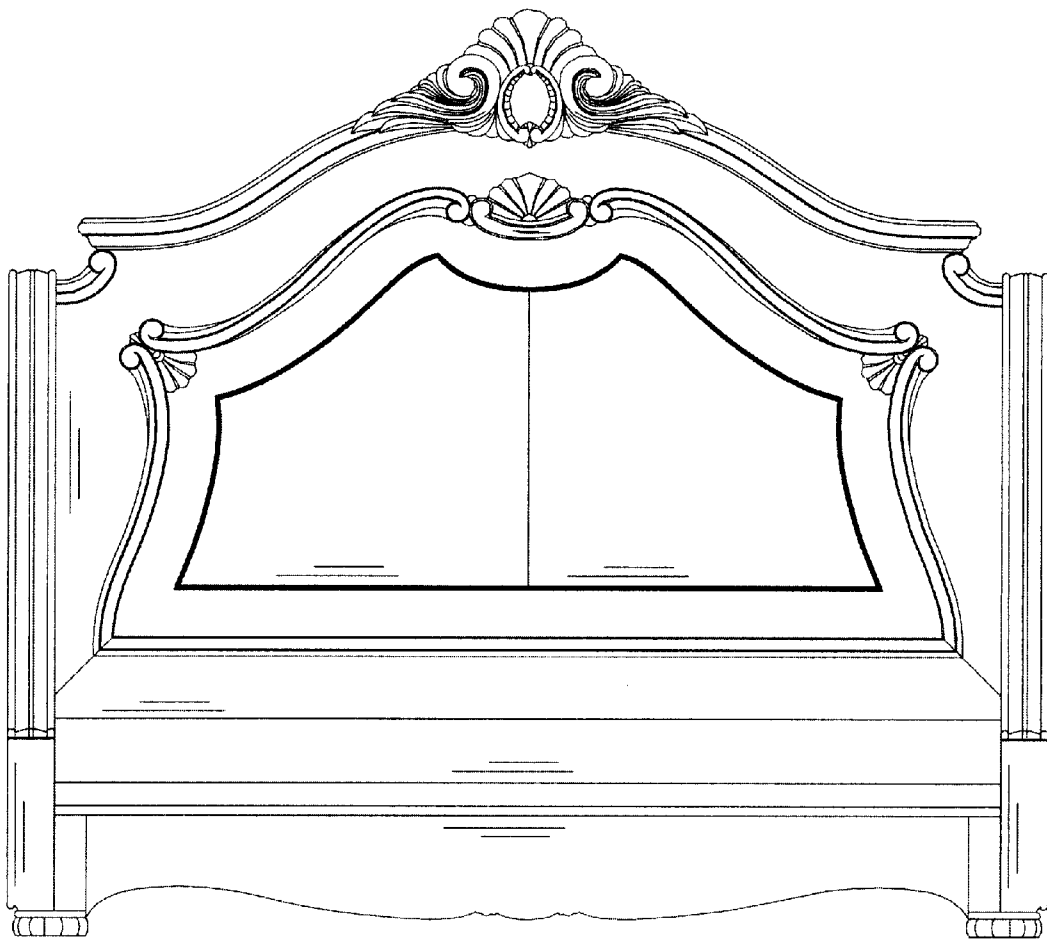


**U.S. Patent**

**Feb. 13, 2007**

**Sheet 1 of 5**

**US D536,558 S**



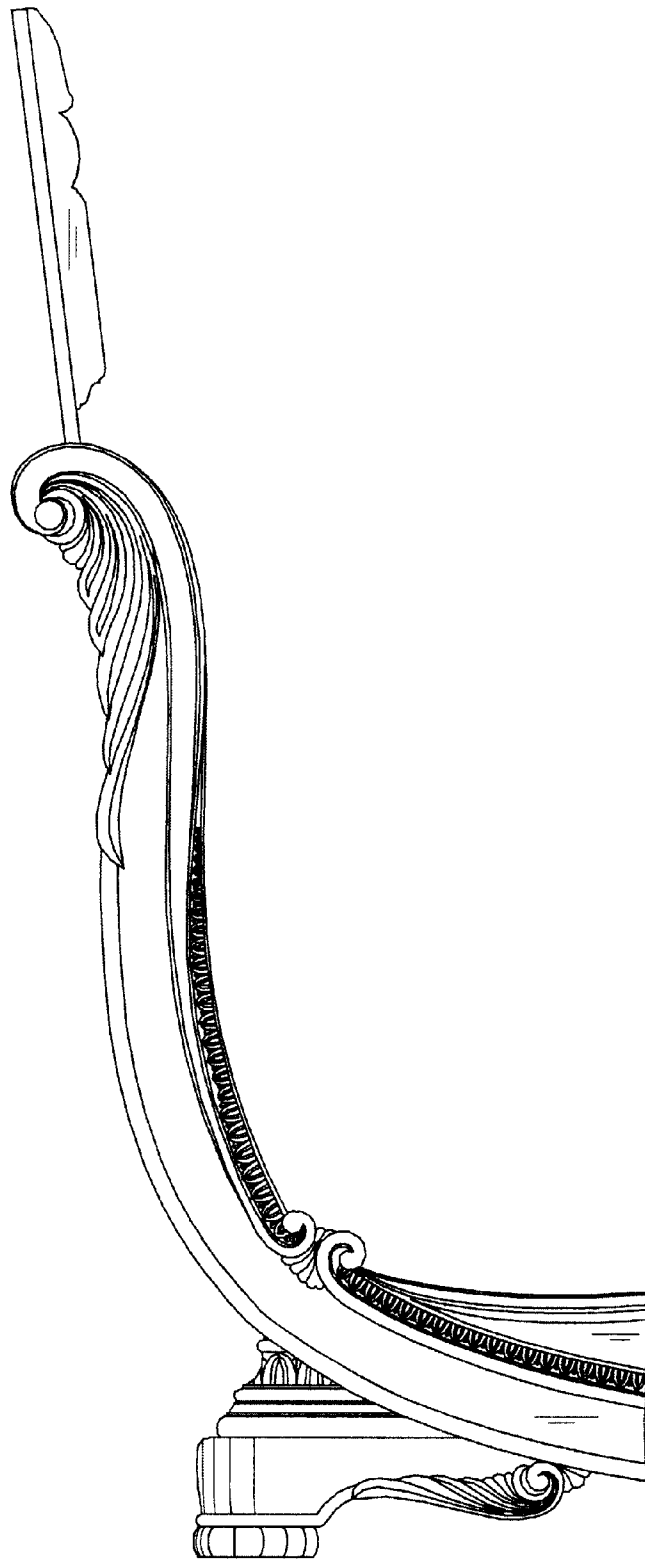
**Fig. 1**

**U.S. Patent**

**Feb. 13, 2007**

**Sheet 2 of 5**

**US D536,558 S**



**Fig. 2**

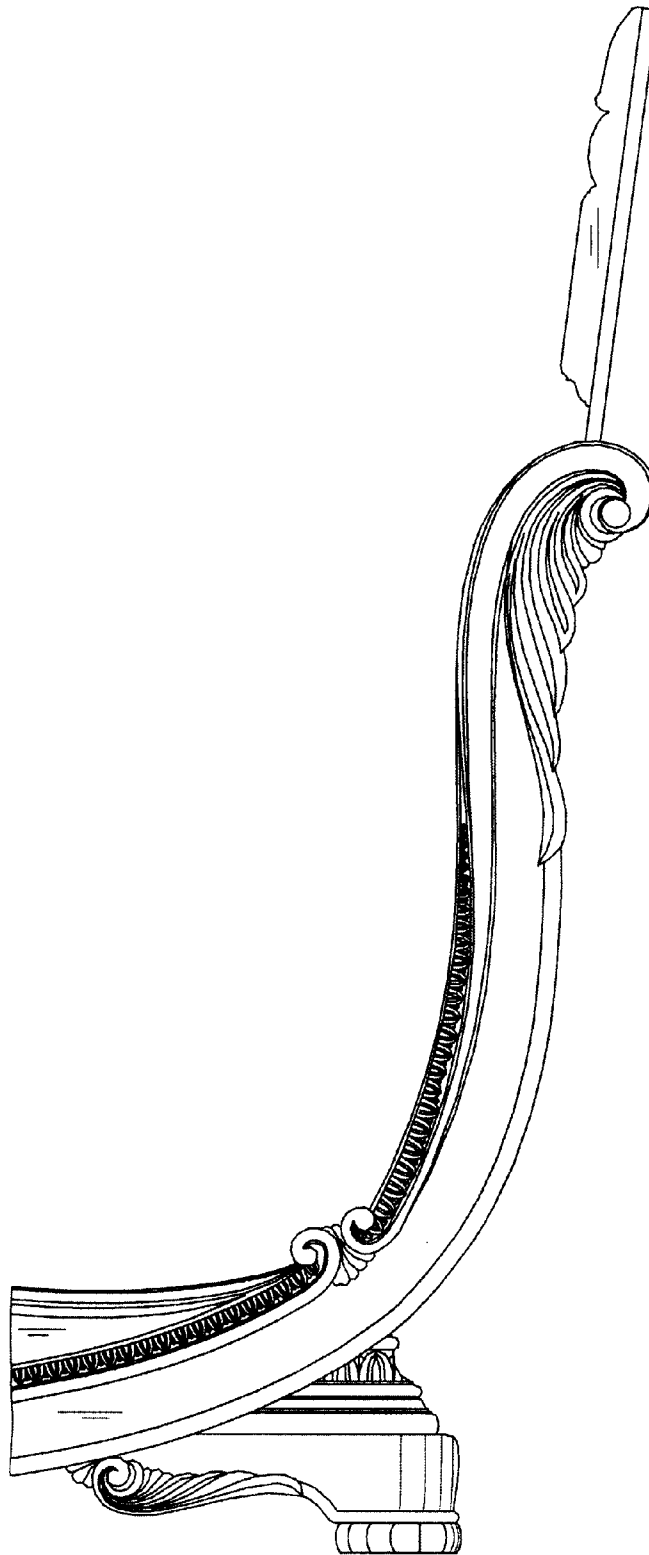


**U.S. Patent**

**Feb. 13, 2007**

**Sheet 3 of 5**

**US D536,558 S**



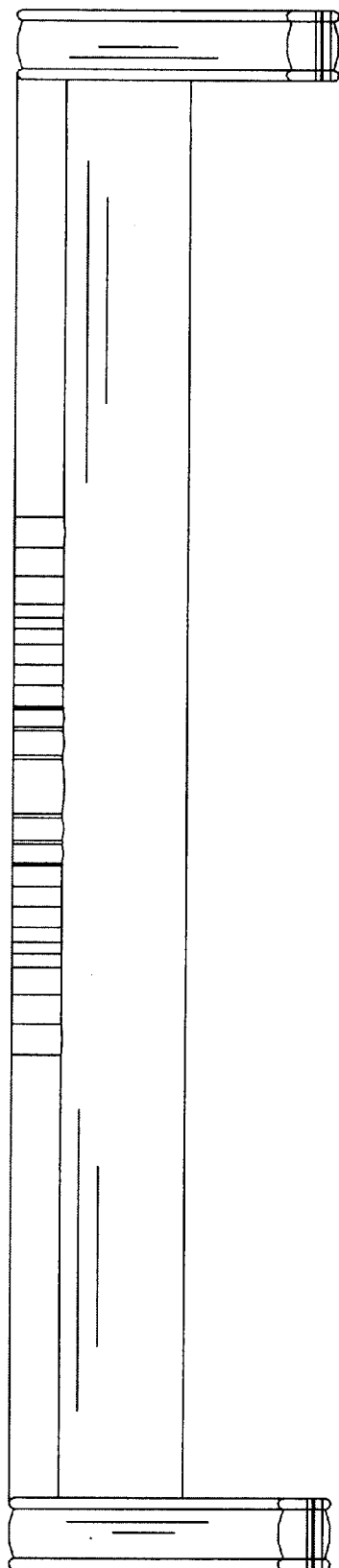
**Fig. 3**

**U.S. Patent**

**Feb. 13, 2007**

**Sheet 4 of 5**

**US D536,558 S**



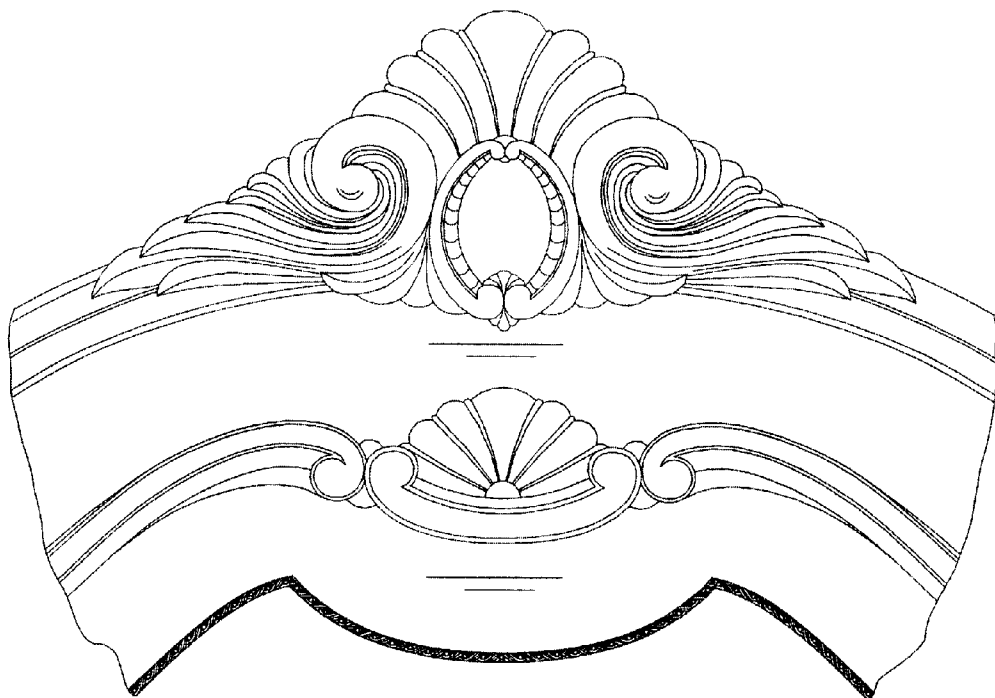
**Fig. 4**

**U.S. Patent**

**Feb. 13, 2007**

**Sheet 5 of 5**

**US D536,558 S**



**Fig. 5**

## **EXHIBIT 9**



US00D535507S

(12) **United States Design Patent** (10) **Patent No.:** **US D535,507 S**  
**Schmitt** (45) **Date of Patent:** **\*\* Jan. 23, 2007**

(54) **SLEIGH BED FOOTBOARD**

(75) Inventor: **Jack Schmitt**, San Juan Capistrano, CA (US)

(73) Assignee: **Amini Innovation Corp.**, Pico Rivera, CA (US)

(\*\*) Term: **14 Years**

(21) Appl. No.: **29/226,353**

(22) Filed: **Mar. 29, 2005**

(51) **LOC (8) Cl.** ..... **06-06**

(52) **U.S. Cl.** ..... **D6/505**

(58) **Field of Classification Search** ..... D6/382-395,  
D6/505-508, 397; 5/53.1, 279.1, 280, 281,  
5/2.1, 907, 414

See application file for complete search history.

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*Primary Examiner*—Janice E. Seeger

(74) *Attorney, Agent, or Firm*—Cislo & Thomas, LLP

(57) **CLAIM**

I claim the ornamental design for the sleigh bed footboard,  
as shown and described.

#### DESCRIPTION

FIG. 1 is a front elevational view of a sleigh bed footboard  
showing my new design;

FIG. 2 is a left-side elevational view thereof;

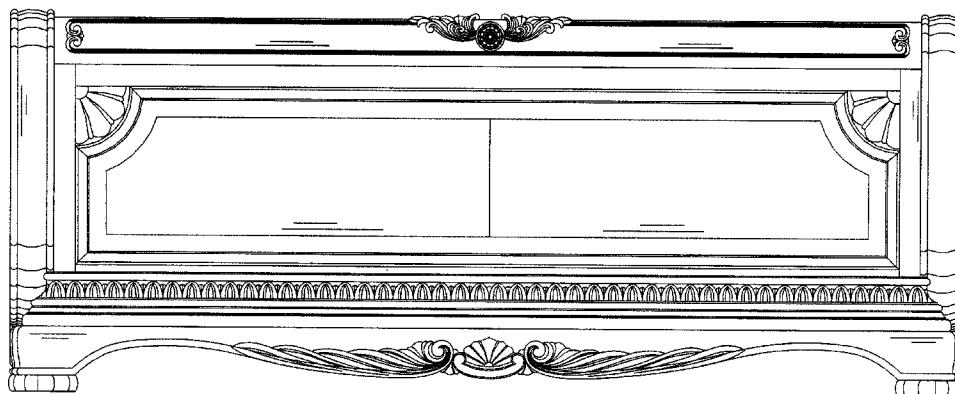
FIG. 3 is a right-side elevational view thereof;

FIG. 4 is a top plan view thereof; and,

FIG. 5 is a front elevational detail of the upper center of the  
sleigh bed footboard illustrating the ornamentation thereon  
in enlarged detail.

The claimed design does not include any depth for the  
ornamental details shown within the perimeter moldings.

**1 Claim, 5 Drawing Sheets**

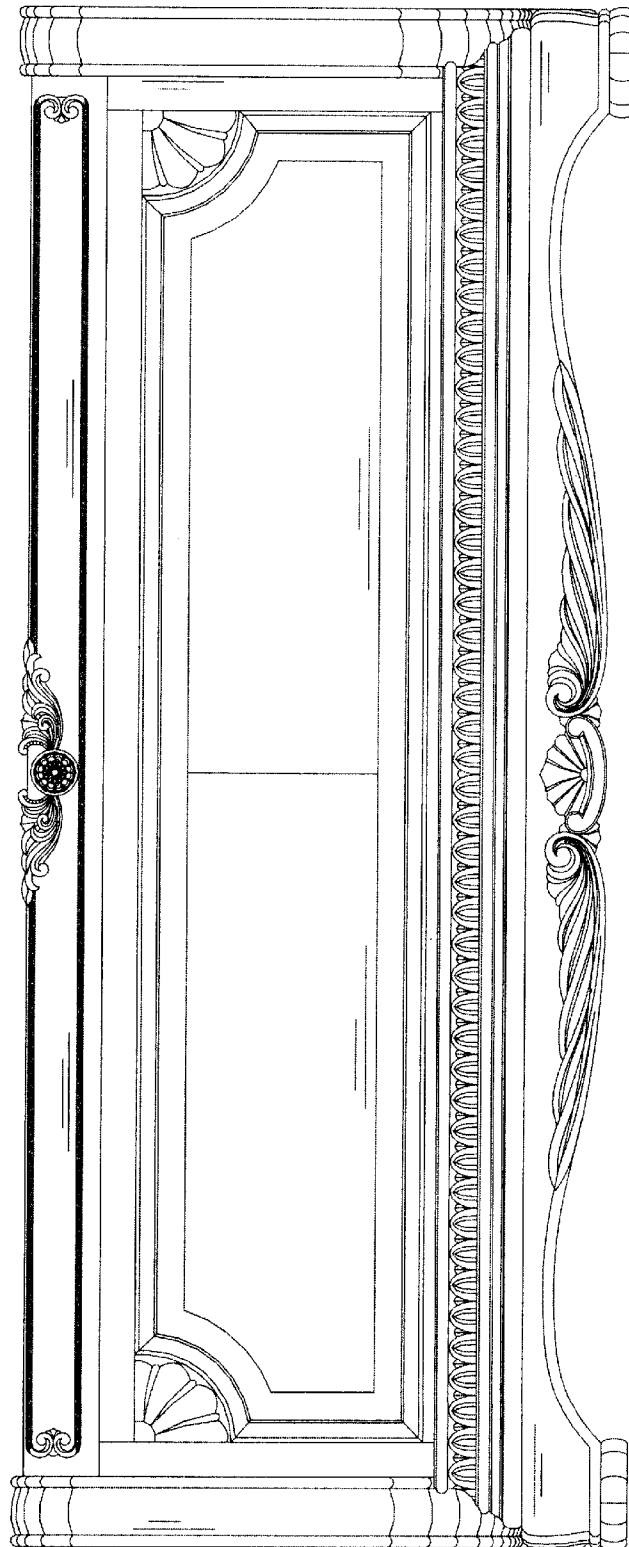


**U.S. Patent**

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**Sheet 1 of 5**

**US D535,507 S**



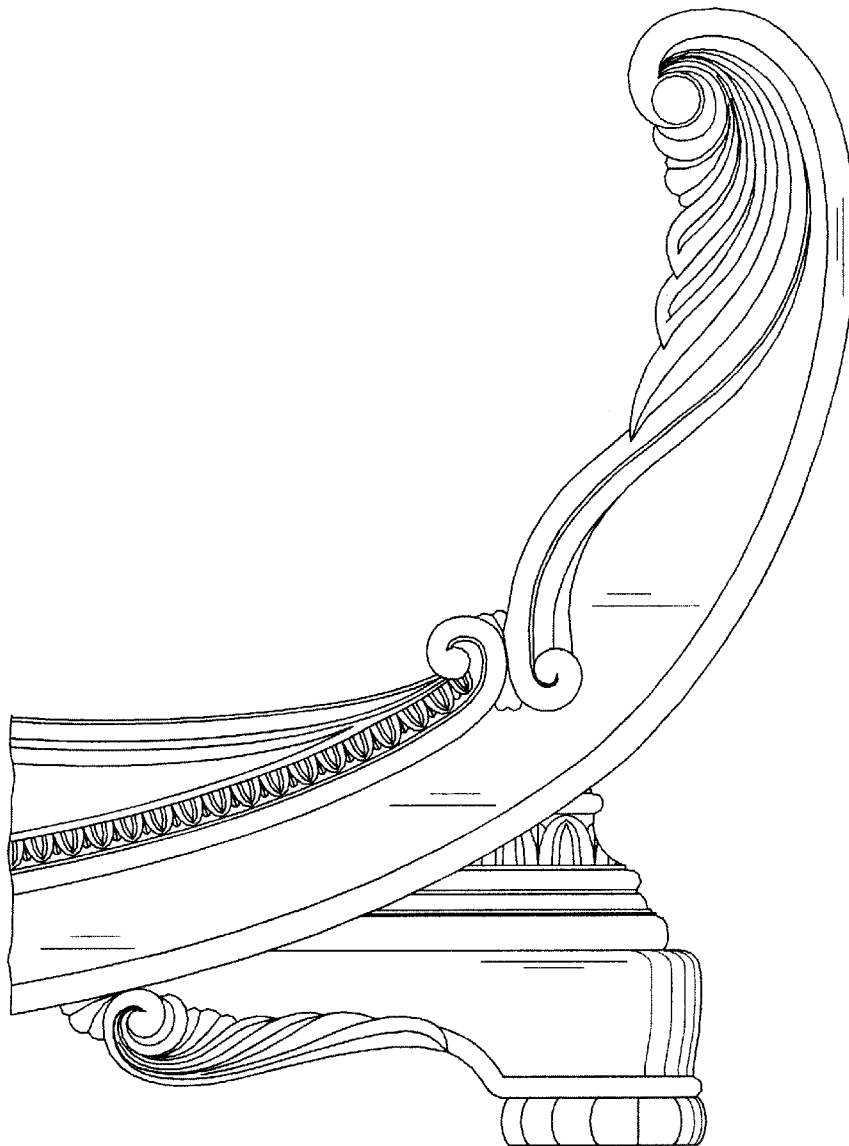
**Fig. 1**

**U.S. Patent**

**Jan. 23, 2007**

**Sheet 2 of 5**

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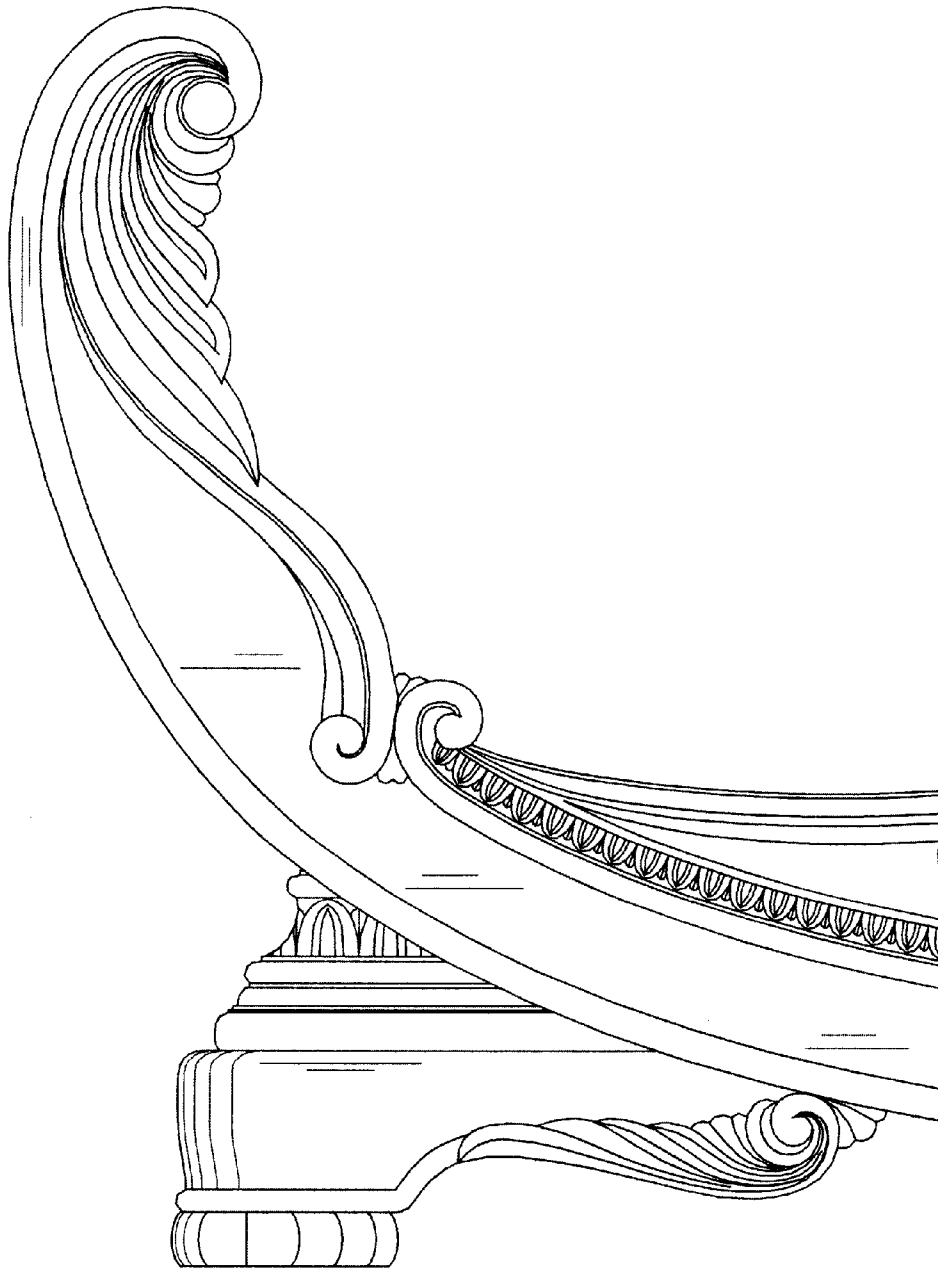
**Fig. 2**

**U.S. Patent**

**Jan. 23, 2007**

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**Fig. 3**

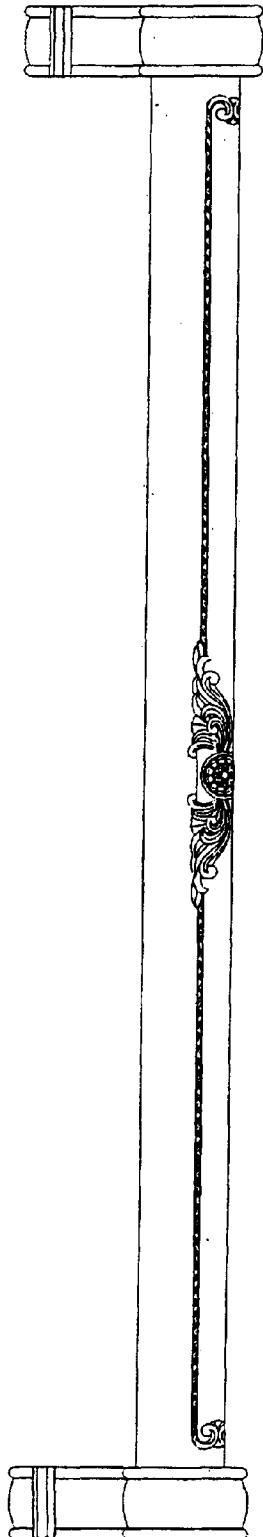


**U.S. Patent**

**Jan. 23, 2007**

**Sheet 4 of 5**

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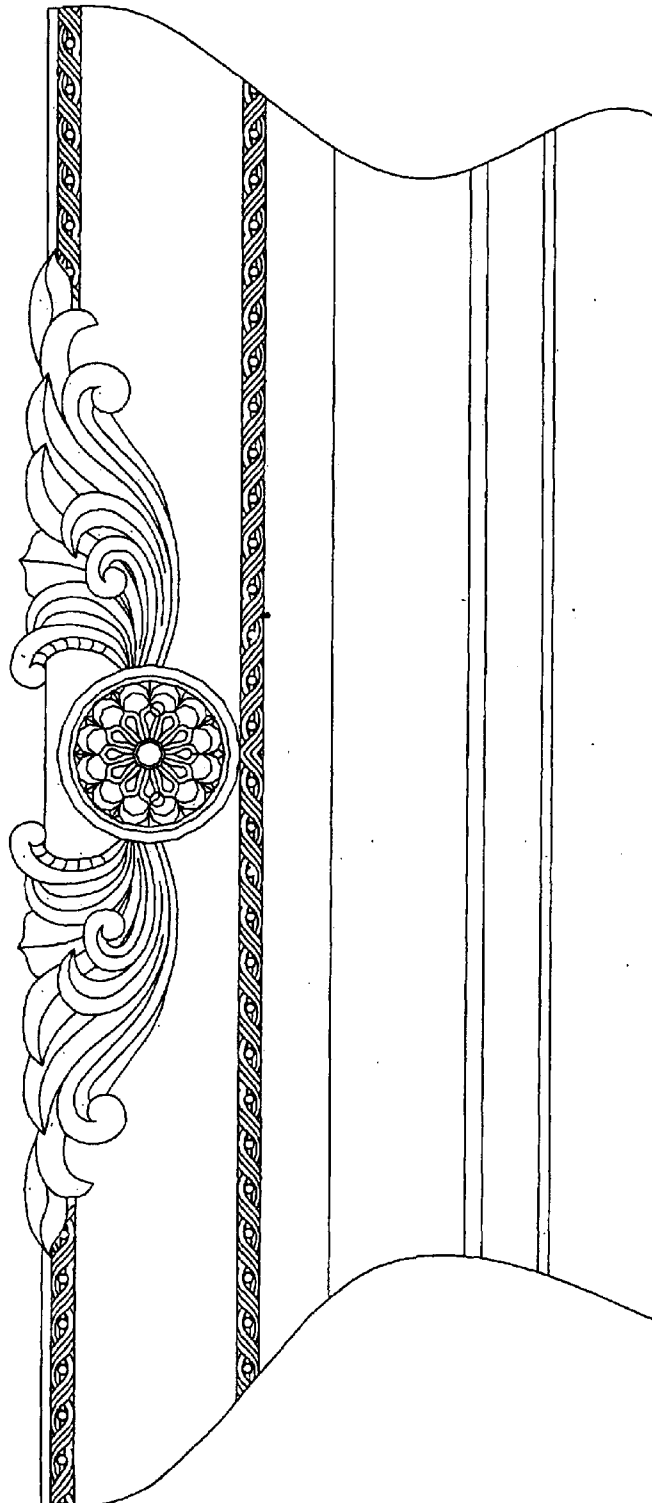
**Fig. 4**

**U.S. Patent**

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**Fig. 5**

## **EXHIBIT 10**



US00D530538S

(12) **United States Design Patent** (10) **Patent No.:** **US D530,538 S**  
**Schmitt** (45) **Date of Patent:** **\*\* Oct. 24, 2006**

(54) **DRESSER**(75) Inventor: **Jack Schmitt**, San Juan Capistrano, CA (US)(73) Assignee: **Amini Innovation Corp.**, Pico Rivera, CA (US)(\*\*) Term: **14 Years**(21) Appl. No.: **29/226,365**(22) Filed: **Mar. 29, 2005**(51) **LOC (8) Cl.** ..... **06-04**(52) **U.S. Cl.** ..... **D6/441**(58) **Field of Classification Search** ..... D6/434, D6/436-447, 470-472; 312/114, 204, 224, 312/227

See application file for complete search history.

(56) **References Cited**

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D241,210 S	8/1976	Elsen
D241,211 S	8/1976	Elsen
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D346,915 S	5/1994	Roser, Jr.
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D383,330 S	9/1997	Lowery
D384,518 S	10/1997	Bergelin
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D412,413 S	8/1999	Keller et al.
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(Continued)

*Primary Examiner*—Cathron C. Brooks(74) *Attorney, Agent, or Firm*—Cislo & Thomas, LLP

(57)

**CLAIM**

I claim the ornamental design for the dresser, as shown and described.

**DESCRIPTION**

FIG. 1 is a front elevational view of a dresser showing my new design, the door and drawer pulls thereof being shown in phantom and forming no part of my new design;

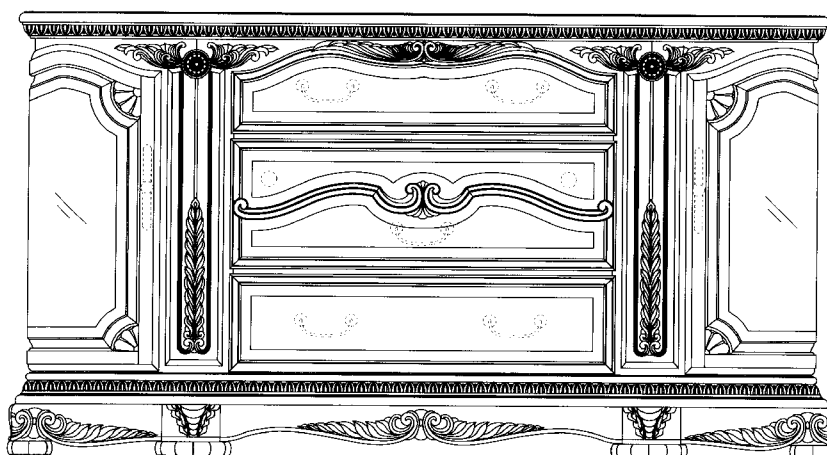
FIG. 2 is left-side elevational view thereof;

FIG. 3 is right-side elevational view thereof;

FIG. 4 is a top plan view thereof;

FIG. 5 is a front elevational view of the right center of the dresser illustrating the ornamentation thereon in enlarged detail; and,

FIG. 6 is a front elevational view of the upper portion of FIG. 5 illustrating the ornamentation thereof in still greater detail.

**1 Claim, 6 Drawing Sheets**

**US D530,538 S**

Page 2

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U.S. Patent

Oct. 24, 2006

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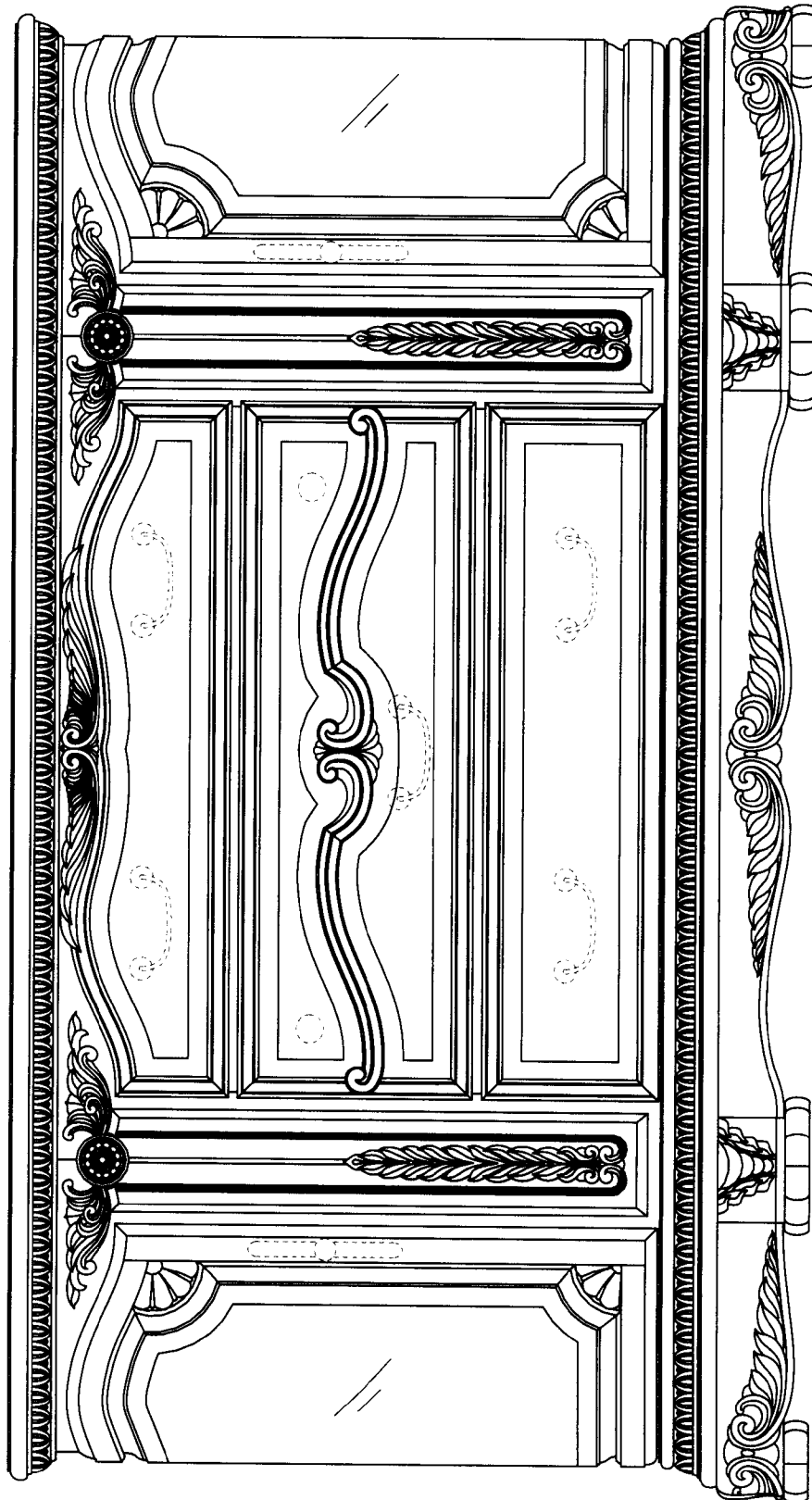


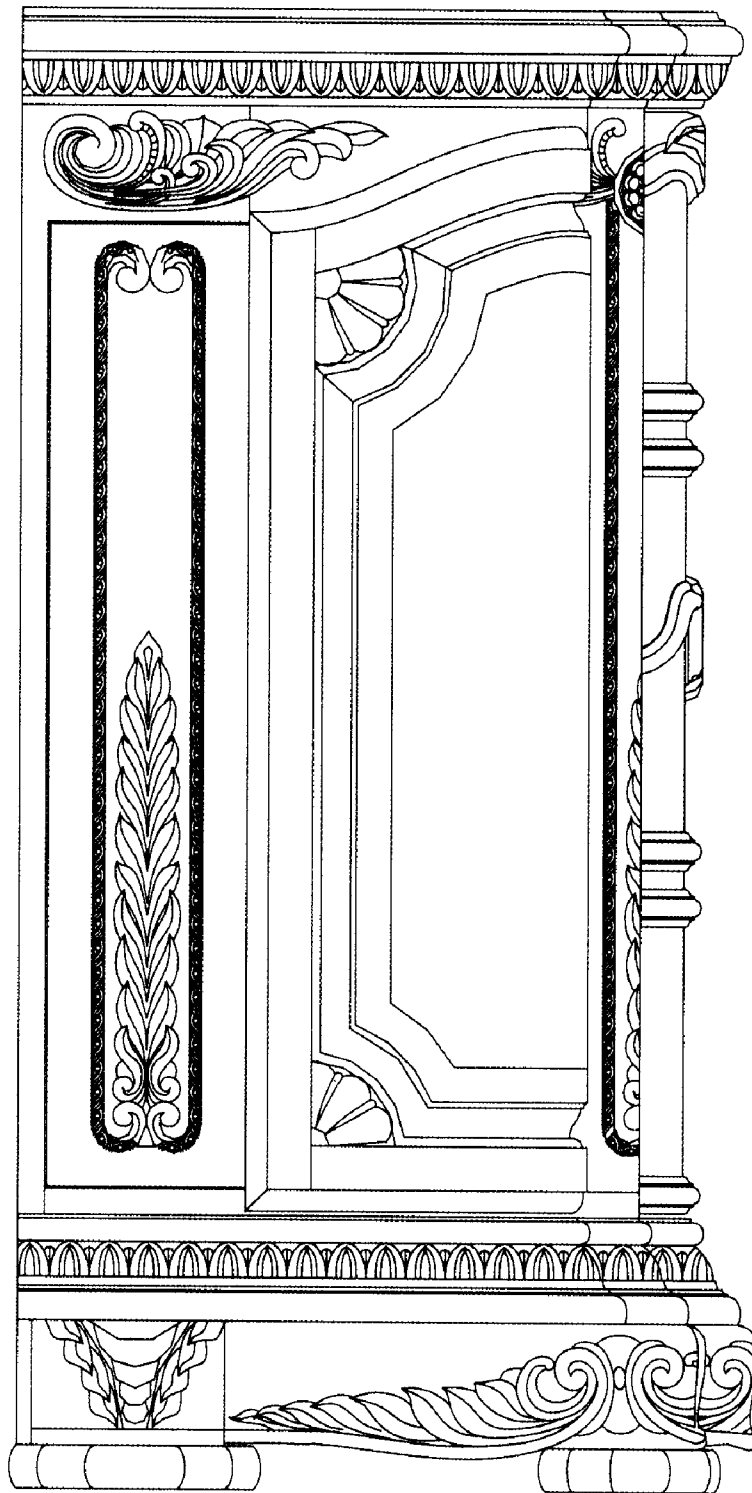
Fig. 1

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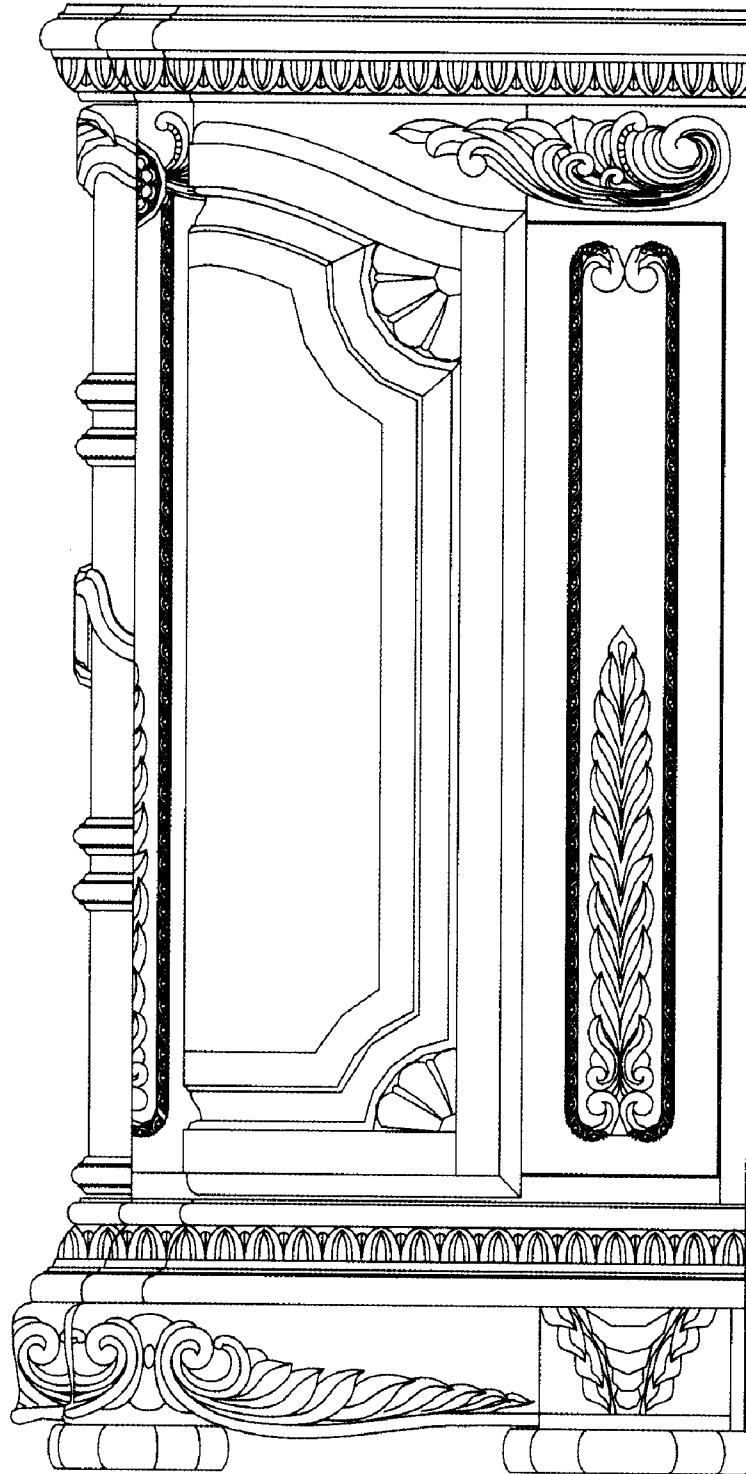
**Fig. 2**

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**Fig. 3**

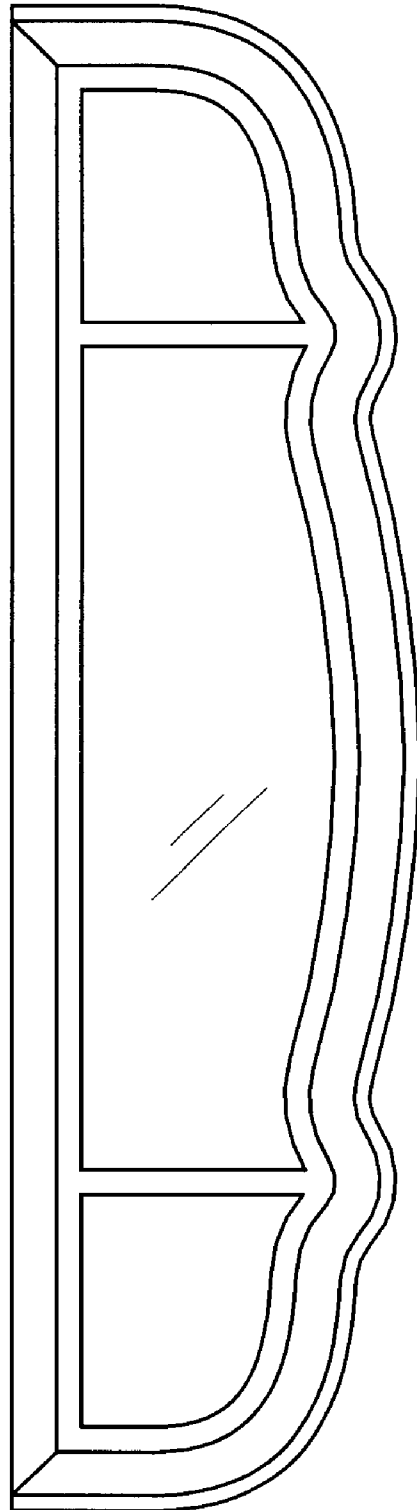


**U.S. Patent**

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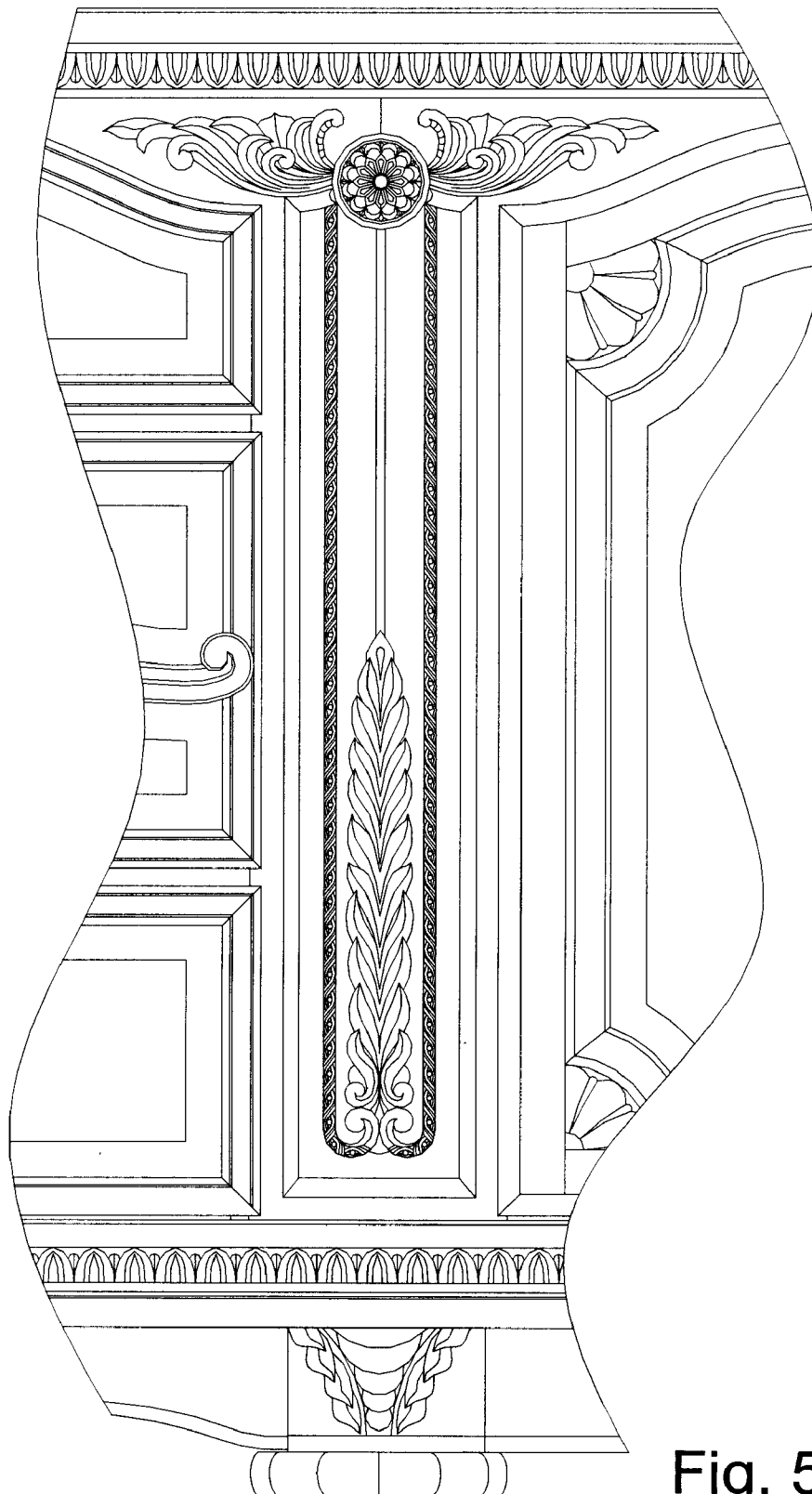
**Fig. 4**

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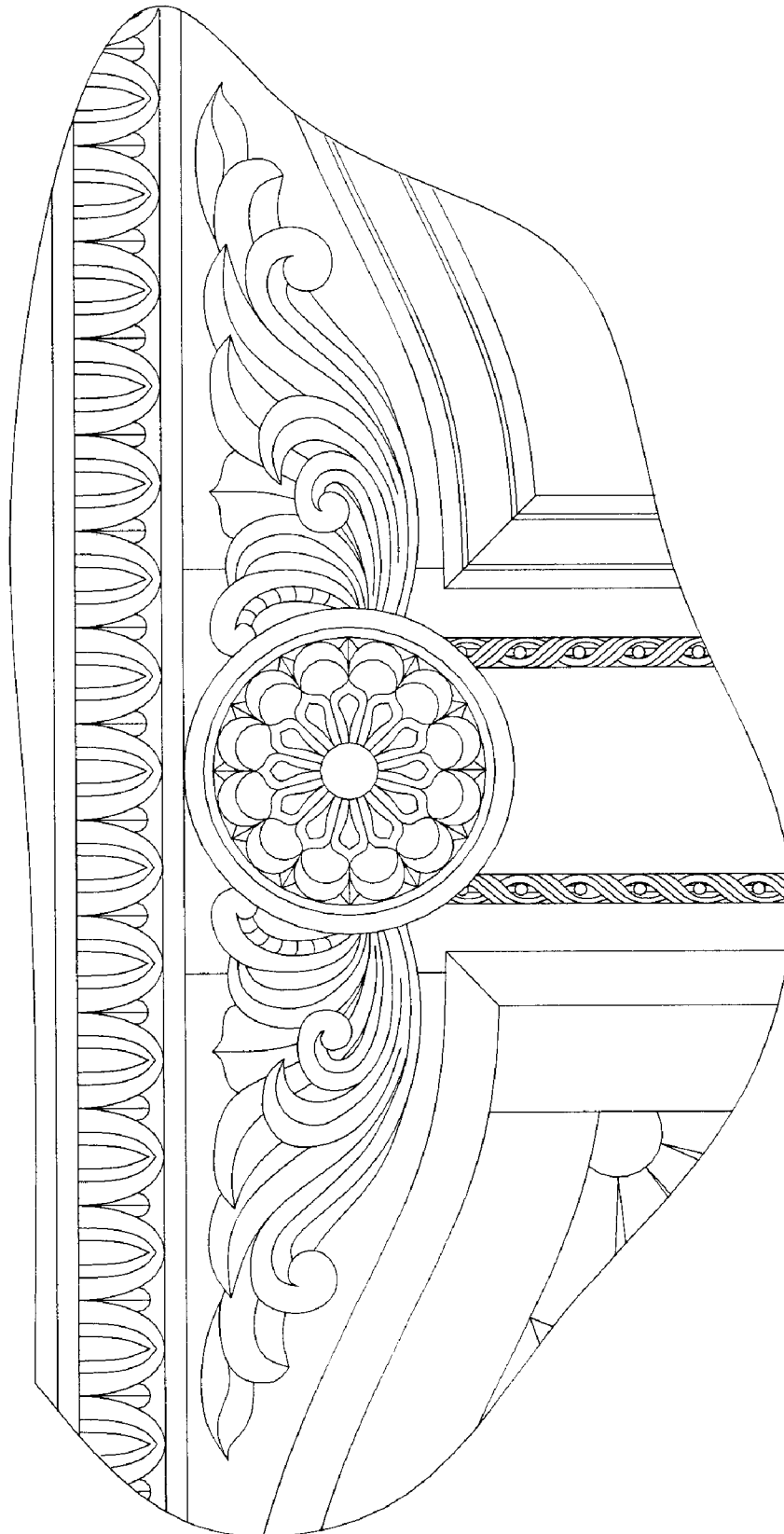
**Fig. 5**

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**Fig. 6**

## **EXHIBIT 11**



US00D524060S

(12) **United States Design Patent** (10) **Patent No.:** **US D524,060 S**  
**Schmitt** (45) **Date of Patent:** **\*\* Jul. 4, 2006**

(54) **DRESSER MIRROR**(75) Inventor: **Jack Schmitt**, San Juan Capistrano, CA (US)(73) Assignee: **Amini Innovation Corp.**, Pico Rivera, CA (US)(\*\*) Term: **14 Years**(21) Appl. No.: **29/226,349**(22) Filed: **Mar. 29, 2005**(51) **LOC (8) Cl.** ..... **06-07**(52) **U.S. Cl.** ..... **D6/300**(58) **Field of Classification Search** ..... D6/300-309,  
D6/444, 432, 568; 40/700-702, 714, 717,  
40/721, 727, 738, 739, 742, 745, 746, 747,  
40/768, 777, 778, 779, 782-784, 790-791;  
312/204; D11/131

See application file for complete search history.

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D241,210 S	8/1976	Elsen	
D241,211 S	8/1976	Elsen	
D258,331 S	2/1981	Brown	
D258,333 S	2/1981	Brown	
D265,155 S	6/1982	Bravo	
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D343,744 S	2/1994	Keller	
D346,915 S	5/1994	Roser, Jr.	
D350,656 S	9/1994	Ferguson	
D371,257 S	7/1996	Paus	
D373,033 S	8/1996	Rosebrock	
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D448,578 S	* 10/2001	McDaniel et al.	D6/300
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*Primary Examiner*—Janice E. Seeger*Assistant Examiner*—Sydney R. Buffalow(74) *Attorney, Agent, or Firm*—Cislo & Thomas LLP(57) **CLAIM**

I claim the ornamental design for the dresser mirror, as shown and described.

**DESCRIPTION**

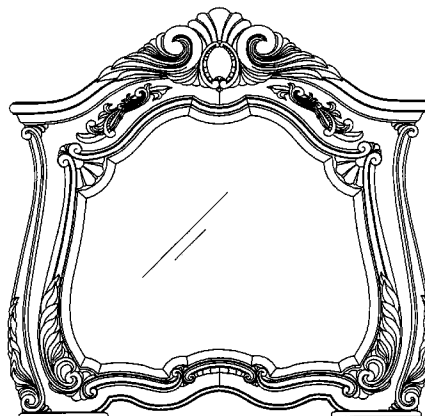
FIG. 1 is a front elevational view of a dresser mirror showing my new design;

FIG. 2 is left-side elevational view thereof;

FIG. 3 is right-side elevational view thereof; and,

FIG. 4 is a top plan view thereof.

The claimed design does not include any specific depth for the specific ornamental details shown within the perimeter moldings.

**1 Claim, 4 Drawing Sheets**

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D472,733 S	4/2003	McDaniel et al.	D481,555 S	11/2003	Schmitt
D473,400 S	4/2003	O'Hare	D484,319 S	12/2003	Domack
D474,054 S	5/2003	Warren et al.	D485,079 S	1/2004	Warren et al.
D474,922 S	5/2003	Vaaler	D487,201 S	3/2004	Schmitt
D475,868 S	6/2003	Vaaler	D487,548 S	3/2004	Schmitt
D476,505 S	7/2003	Lenger	D488,936 S	4/2004	Schmitt
D477,725 S	7/2003	McDaniel et al.	D490,626 S	6/2004	Risdon et al.
D480,236 S	10/2003	Schmitt			

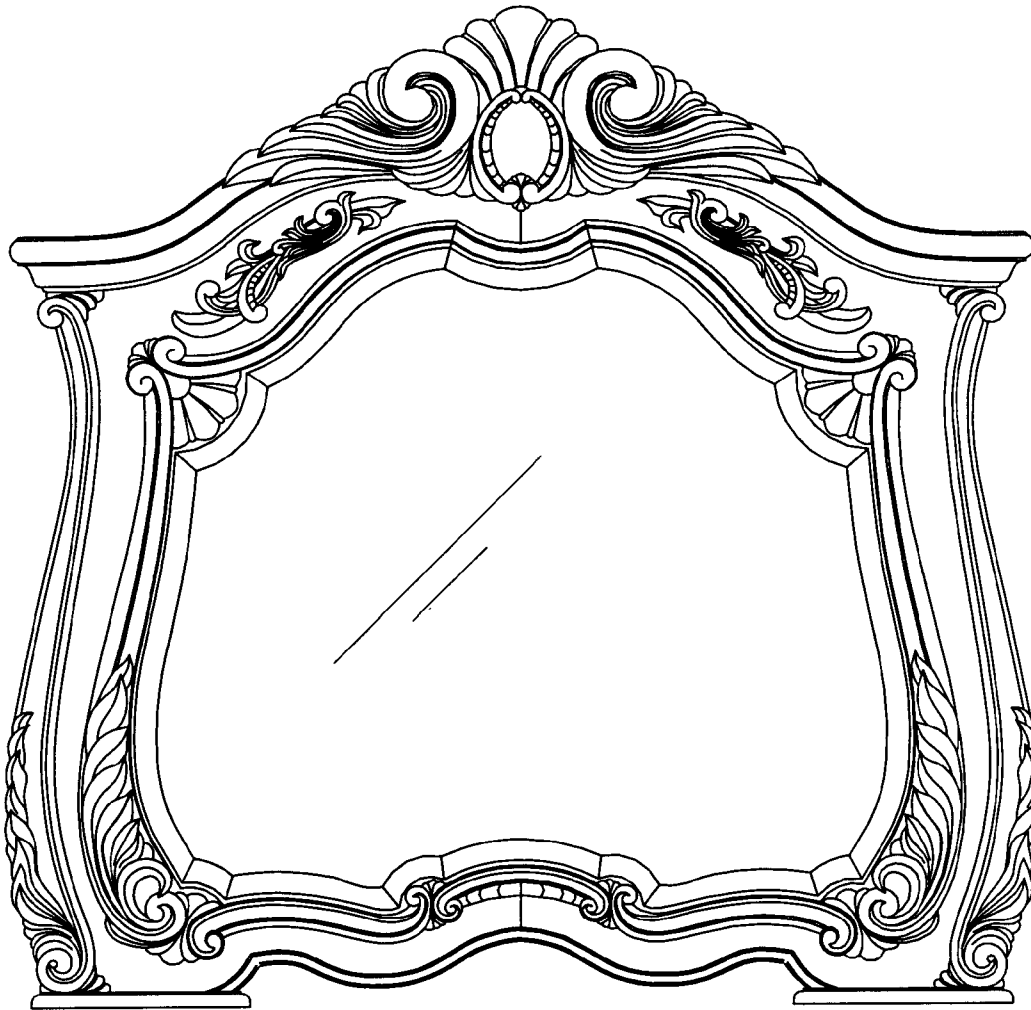
\* cited by examiner

**U.S. Patent**

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**Sheet 1 of 4**

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**Fig. 1**

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**Fig. 2**



**U.S. Patent**

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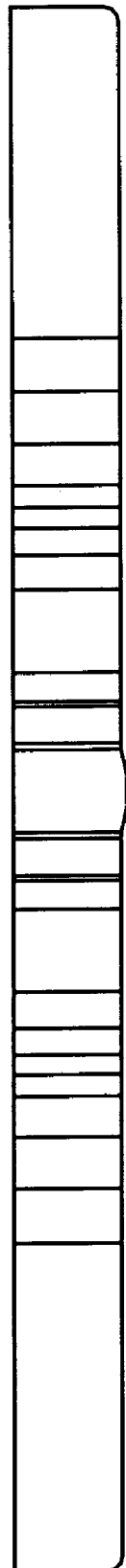
**Fig. 3**

**U.S. Patent**

**Jul. 4, 2006**

**Sheet 4 of 4**

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**Fig. 4**

## **EXHIBIT 12**































































## **EXHIBIT 13**



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12/27/07

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OF INTELLECTUAL PROPERTY

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CISLO & THOMAS LLP  
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**CONFIDENTIAL SETTLEMENT  
DISCUSSIONS PURSUANT TO  
Fed. R. Evid. 408; Calif. Evid. Code § 1152**

Roger H. Stein, Esq.  
Schwartz Cooper  
180 N. LaSalle Street, Suite 2700  
Chicago, Illinois 60601

**Re: Unauthorized Copying, Public Display, and Sale of AICO Cortina Collection  
Our Ref.: 07-20337**

Dear Mr. Stein:

We are in receipt of your letter dated December 21, 2007. While we disagree with the contentions in your December 21, 2007 letter, we are pleased that your client has agreed to discontinue its dealings in the accused products.

Before we can conclude this matter, however, our client will need to know the following:

- (1) the total sales made by your client in units and dollars of the accused products;
- (2) your client's existing inventory of the accused products, and what your client intends to do with the remaining inventory; and,
- (3) the manufacturer of the accused products.

The requested information can be provided on a confidential basis if you so choose.

In addition, our client requires a signed settlement agreement to conclude this matter. Based on the representation in your letter that your client will no longer promote, sell, manufacture, and/or



Roger H. Stein, Esq.  
Schwartz Cooper  
December 27, 2007  
Page 2

import the accused products, we trust your client is amenable to a settlement agreement resolving this matter. AICO will prepare and enter into a suitable settlement agreement as well once the information requested above has been provided.

Nothing in this letter should be interpreted as a waiver of any of our client's rights in this matter, in law or in equity, which rights are hereby specifically reserved.

Very truly yours,

CISLO & THOMAS LLP

  
\_\_\_\_\_  
Mark D. Nielsen

MDN:aa

T:\07-20337\Letter to Opposing Counsel confirming resolution of matter.DOC

## **EXHIBIT 14**

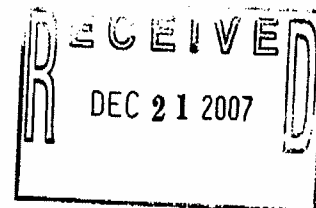
DEC-21-2007 13:05

SCHWARTZ COOPER

312 346 1300 P.01/03

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**DATE:** December 21, 2007 **CLIENT-MATTER NO:** 54511-9001  
**To:** Daniel Ciso, Esq.  
Ciso & Thomas LLP **FAX NO.:** 310.394.4477 **PHONE NO.:**  
**FROM:** Roger H. Stein **PHONE:** 312.845.5114  
**RE:** AICO Cortina Collection Matter  
Your Reference: 07-20337

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21 December 2007

**This Correspondence And Any Attachments Thereto Are For Settlement Purposes Only Under Fed.R.Evid. 408 And Are Not To Be Used For Any Other Purpose Whatsoever.**

**VIA FACSIMILE ONLY 310.394.4477**

Daniel Cislo, Esq.  
**CISLO & THOMAS LLP**  
233 Wilshire Boulevard, Suite 900  
Santa Monica, California 90401

Re: AICO Cortina Collection Matter  
Your Reference: 07-20337  
Our File No. 54511-9001

Dear Mr. Cislo:

We are Intellectual Property counsel to DA International and your communication to Raad Altemimeh dated 13 December 2007 has been referred to us for response.

Please recognize our client takes your allegations seriously and has no intention or desire to infringe upon anyone else's rights. We note your client has been involved in several litigations regarding the designs set-forth in your letter.

We have reviewed the design patents, copyright registrations, and photographs attached to your letter, along with additional information provided by our client. Based on our comparisons, we believe that DA International does not infringe any of the copyrights or design patents because many of the features of your client's headboard, footboard, dresser and dresser mirror are not in our client's products.

In addition, to the extent your client believes there was any copying, please recognize our client's designs were independently created, as opposed to any of your client's designs. Further, our client did not have a dining room collection or entertainment wall corresponding to the design to the bedroom collection shown in your Exhibit G.

In light of the above, we believe your request to our client to cease and desist and other requirements set forth in your letter are without merit.

Despite having said the above, our client is discontinuing the complained of line of products. Accordingly, it will no longer promote, sell, manufacture and/or import the products referenced in your letter.

DEC-21-2007 15:05

SCHWARTZ COOPER

312 346 1500 P.03/03



Daniel Cisló, Esq.  
Cisló & Thomas LLP  
21 December 2007  
Page 2

We trust this will alleviate any of your client's concerns, whether meritorious or not. Unless we hear from you to the contrary, we will consider this matter closed.

If you have any questions, please call.

Very truly yours,

A handwritten signature in black ink, appearing to be "RHS", with a horizontal line extending to the right.

Roger H. Stein

RHS/kmr  
c: DA International

## **EXHIBIT 15**





**FAXED**  
12/27/07

**PROCUREMENT AND ENFORCEMENT  
OF INTELLECTUAL PROPERTY**

4300 LONG BEACH BLVD.  
SUITE 405  
LONG BEACH, CA 90807-2011  
(562) 595-8422

**CISLO & THOMAS LLP**  
*Attorneys at Law*

1333 2<sup>ND</sup> STREET  
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December 27, 2007

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**CONFIDENTIAL SETTLEMENT  
DISCUSSIONS PURSUANT TO  
Fed. R. Evid. 408; Calif. Evid. Code § 1152**

Roger H. Stein, Esq.  
Schwartz Cooper  
180 N. LaSalle Street, Suite 2700  
Chicago, Illinois 60601

**Re: Unauthorized Copying, Public Display, and Sale of AICO Cortina Collection**  
**Our Ref.: 07-20337**

Dear Mr. Stein:

We are in receipt of your letter dated December 21, 2007. While we disagree with the contentions in your December 21, 2007 letter, we are pleased that your client has agreed to discontinue its dealings in the accused products.

Before we can conclude this matter, however, our client will need to know the following:

- (1) the total sales made by your client in units and dollars of the accused products;
- (2) your client's existing inventory of the accused products, and what your client intends to do with the remaining inventory; and,
- (3) the manufacturer of the accused products.

The requested information can be provided on a confidential basis if you so choose.

In addition, our client requires a signed settlement agreement to conclude this matter. Based on the representation in your letter that your client will no longer promote, sell, manufacture, and/or

Roger H. Stein, Esq.  
Schwartz Cooper  
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import the accused products, we trust your client is amenable to a settlement agreement resolving this matter. AICO will prepare and enter into a suitable settlement agreement as well once the information requested above has been provided.

Nothing in this letter should be interpreted as a waiver of any of our client's rights in this matter, in law or in equity, which rights are hereby specifically reserved.

Very truly yours,

CISLO & THOMAS LLP

  
Mark D. Nielsen

MDN:aa

T:\07-20337\Letter to Opposing Counsel confirming resolution of matter.DOC